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THE HISTORY OF ENGLAND.

BOOK XXI.

Containing the third and last part of the reign of CHARLES I. *from the year* 1642 *to* 1648.

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Extreme distrust betwixt the king and parliament.

HITHERTO we have seen how the breach between the king and the parliament daily grew wider. The distrust was so great on both sides, that it was hardly possible they should come to an agreement. The king could not doubt, there was a design to deprive him of great part of his authority; and the parliament perceiving the king was not ignorant of this design, could scarce question, he would privately take all possible measures to prevent the execution thereof. But this was not all. The parliament had also reason to fear, the king would not confine himself to the defen[illegible], but under [illegible]lour of standing upon his guard, would put himself in [illegible] condition to attack. Before the accusation of the mem[illegible] of parliament, whilst the resolution of depriving the [illegible] of his power was not absolutely taken, and many m[illegible] were yet wavering, it would not perhaps have be[illegible]possible to find expedients for a peace. But by [illegible]tal accusation, and his coming to the house of comm[illegible] the king gave

1642. gave ſuch an advantage to his enemies, who knew but too well how to improve it, that it was no longer practicable for him to recover the confidence of thoſe who till then had preſerved ſome good-will towards him. Before this, the deſign of diveſting the king of his authority was a ſecret among ſome of the leaders of the party, who were labouring to accompliſh it by degrees, without daring to be too open, ſo that it was not eaſy to know perfectly, they had really ſuch a deſign. But it was not ſo eaſy to deceive the king, who was chiefly concerned. He ſaw, that his authority was gradually undermining, and readily perceived, where this Mine would end at laſt, if ſuffered to continue. In this perplexity, he found it incumbent upon him to take precautions, in order to oppoſe his enemies. But on the other hand, he was ſenſible he ſhould make his cauſe bad, if he fell upon the parliament itſelf, which was ſeduced by theſe able leaders, and thereby ſet the whole nation againſt him. This conſideration, very likely, induced him to attack in particular the lord Kimbolton with five of the moſt powerful commoners, imagining they would be ſent to the Tower upon his accuſation, and then the parliament, as being no longer directed by theſe men, would be better inclined in his favour. He was not only deceived in his conjecture, but did himſelf alſo an irretrievable injury, in that the precaution he would have taken to ſecure himſelf from the ſecret practices of ſome private perſons, paſſed for a ſettled deſign upon the whole parliament. He thereby confirmed the ſuſpicions which were infuſing into the people, that he was ſeeking to render himſelf abſolute, as he had formerly been; and from thence it naturally followed, that therefore it was neceſſary to put it out of his power to execute that deſign.

Then it was that this reſolution, taken firſt by ſome few, was approved by the majority, and endeavoured to be effectually executed, by beginning with the important affair of the militia. For, depriving the king of the power to command the militia, [illegible] ing this power in the hands of [illegible], the parliament, was properly diſarming him intirely. The king's condition growing much worſe, [illegible] aſily perceived, that as his enemies managed, there was [illegible] dium for him, between being a ſlave or rendering [illegible] maſter. He was unwilling to be a ſlave, and it was [illegible] to become maſter, in his circumſtances, and eſpecial[illegible] ing to deal with very able and watchful enemies. [illegible] probably, in the belief of the impoſſibility to free

free himself from his present danger but by a war, he re- 1642.
solved to send the queen into Holland to buy arms and
ammunition, to retire to York himself, and to try to secure
Hull, though he coloured his designs with other pretences.
He saw that the parliament reckoned among the pretended
malignants, not only such as openly appeared for the king,
but also those who were for preserving any moderation, and
that many suffered themselves to be drawn into the same
plot, out of fear, and because they could not be secure of
protection, in case they declared against the two houses.
He thought therefore, he should chiefly endeavour to render
himself able to protect those who dared to espouse his cause
openly. But moreover, as the parliament never ceased to
infuse suspicions into the people, it was absolutely necessary
for the king to try to efface these impressions, so prejudicial
to him. Hence flowed, in all the papers published by him
concerning the militia, those so frequent expressions of his
affection for his people, and his attachment to the laws.
His aim was to shew the nation, that the parliament acted
directly contrary to law, in usurping an authority which
belonged not to them. As it was by the very same thing
that the king had given occasion to the people to be preju-
diced against him, he hoped, the usurpations of the parlia-
ment would produce the same effect. But herein he was
much mistaken. The people were persuaded, that the king,
without any provocation, had invaded the privileges of the
subject, during the first fifteen years of his reign, whereas
if the parliament had in any thing encroached upon the
rights of the king, it was in maintenance of the nation's
liberties, and for the revival of the laws.

Though it was hard to prove by unquestionable evidence,
that the king had formed the project of seizing, at once, the
tower of London, Portsmouth, and Hull, there were, how-
ever, so great signs of it, that it would have been very im-
prudent in the parliament not to think of securing those
places in the present situation of affairs. Sir John Byron
lieutenant of the Tower was a man devoted to the king.
The earl of Newcastle had been sent to Hull, under a
borrowed name, and information was given, that he would
have persuaded the mayor to deliver that place to him.
for Portsmouth, the journey the queen was to take thither
on some pretence, and the meeting of the officers at Kings-
ton, were more than sufficient to breed strong suspicions on
that account. In short, the lord Clarendon freely owns the
king's designs upon Portsmouth and Hull, tho' his intentions

Rushworth, V. 564.

T. I. p. 396.

1642. not the Tower. Had these designs succeeded, the king would have been master of the three principal forts of the kingdom, with the magazines of the Tower and Hull, and thereby enabled to subdue the parliament. These projects failing, as I have said, the king endeavoured, as well as he could, to stifle them, and make them pass for imaginary. But the two houses judged otherwise of them. Accordingly, the commons never rested till the lieutenancy of the Tower was given to one they could confide in, and Hotham sent to Hull. As for Portsmouth, the parliament not mistrusting Goring the governor, because he was the person that discovered the plot to seduce the army, were contented with sending him sufficient orders, as they thought, for the preservation of the place. From that time, there was no more mention of Portsmouth, for the king found means to gain colonel Goring, who promised to declare for him at a proper time, as he did accordingly.

Annals. Whitelock. Ludlow.

Notwithstanding the king's ill success in his secret undertakings, he persisted in his design to free himself by force from the slavery to which it was intended to reduce him, perceiving, it would be impossible for him to succeed any other way. To that end, doubtless, he sent the queen to Holland, and having but little money to give her, put into her hands the crown jewels, which were used in buying arms and ammunition. If the queen's voyage had been only to conduct the princess Mary to the prince her spouse and to drink the waters of the Spa, there would have been no occasion to give her wherewithal to buy arms and ammunition. Very probably therefore the king from that time thought of war, whether it were offensive or defensive only. But his attempt upon Hull, where was a magazine of arms for sixteen thousand men, is a still clearer evidence. The king himself had caused these arms to be brought to Hull, when he had resolved to make war upon Scotland.

Rushworth. IV. p. 564.

The king's design upon Hull. Rushworth. IV. p. 564.

When the parliament sent Sir John Hotham down to Hull, the king complained not of it, whether he was apprehensive of being reproached with attempting to secure that place, or to amuse the parliament and hinder them from taking great precautions. Mean while, both houses having the king at a distance from London, and fearing for him on account of the magazine there, petitioned him, to order the magazine to be removed to the tower of London. The king answered, "He rather expected, that both houses "would have given him an account, why a governor and "garrison had been placed in Hull without his knowledge,

Both houses petition the king to remove the magazine at Hull, to the Tower.

"that

"than to be moved to consent for the removal to the Tower 1642.
"of a magazine (which were his own proper goods) upon
"such general reasons, as gave no satisfaction to his judg-
"ment: that in short, he would not agree to the removal
"of those arms, till he knew for what service they were
"intended: and if any attempt should be made in this
"matter without his approbation, he should esteem it as
"the greatest violation of his right." A little after, some
gentlemen of the county of York petitioned the king, that
the magazine might not be removed, by reason they con-
ceived the kingdom and particularly the north to be in dan-
ger. This petition was probably begged, since affairs were
not yet in such a situation, that private persons should dare
to present an address to the king, directly contrary to that
of the parliament, had they not been encouraged thereto.
It is certain, the king intended to seize Hull with the maga-
zine. He was desirous to have a place, which would en-
able him to protect his adherents, and depended upon this
magazine to arm them in due time. This was the cause
of his refusing to remove the arms to the Tower, though he
alledged other reasons. The parliament also, on their part,
urged for the removal reasons that were not the true ones.
At last, finding the king would not consent to it, they or-
dered most of the magazine to be brought to the Tower,
without asking his approbation any more.

The king's answer. Ibid. Clarendon. T. I. p. 382, 396, &c.

Petition of some of the gentry against removing the magazine. Ibid. Rushworth, IV. p. 566.

Part of the magazine removed to the Tower by the parliament. Clarendon, T. I. p. 385, 396.

The king and the parliament used all possible endeavours
to make the people believe, that in all their proceedings,
they had no other motive than their good and the kingdom's
advantage. From these protestations it is, that the historians
take their strongest arguments to demonstrate the innocence
and sincerity of the party, whose cause they undertake to
support. But the impartial reader must peruse the mani-
festoes, and all the papers of that kind with great caution
for fear of being drawn into error. It is certain, the king
intended to become master of Hull, that he might not be
at the parliament's mercy: But it is not so certain, that
herein his view was only to ma[illegible] constitution of the
government, that the laws might be punctually executed.
On the other hand, the parliament had sent Hotham to
Hull, to hinder the king from seizing the town: But who
can affirm, that their real aim was to prevent the malignant
party from making use of it, to establish an arbitrary power
and inslave the kingdom?

The king's design broke out the 23d of April, when the
affair of the militia was agitated with great heat on both

1642. The king comes before Hull. Rushworth, IV. p. 567. Clarendon, T. I. p. 397.

sides. The day before, he had sent to Hull the duke of York his second son, with the young elector Palatine his nephew, under colour of seeing the place, and very likely these two princes had a pretty numerous retinue. Hotham and the mayor received them with all the respect due to their rank. The princes were entertained the first day by the mayor, and invited to dine with the governor on the morrow being St. George's-day. But the entertainment was disturbed by an officer Sir Lewis Dives who came a little before dinner, and told the governor, that his majesty intended to dine with him, being then within four miles of the town, with a train of above three hundred horse [1]. Hotham, surprised at this message, consulted with some of his friends [2], and it was resolved among them, that a messenger should be dispatched to the king, humbly to beseech him to forbear to come, forasmuch as he could not, without betraying the trust committed to him, set open the gates to so great a guard as he came attended with. The messenger returning with a doubtful answer, and certifying of the king's advance to the town, Hotham drew up the bridge, shut the gates, and commanded the soldiers to stand to their arms round the walls. The king being come to Beverley-gate called for the governor, who appearing on the walls, he commanded him to open the gate. The governor answered, "He was intrusted by the parliament for the secu-"ring of the town for his majesty's honour, and the king-"dom's use, which he intended by God's help to do: prof-"fering, however, that if his majesty would be pleased to "come in with twelve more, he should be welcome, other-"wise he could not, without betraying his trust to the state, "admit entrance to so great a guard [3]." But the king refusing to enter on these terms, repeated several times his command to open the gate, and still received the same answer. Presently after, the duke of York, and the prince elector went out of the town [4] and came to the king, who was pleased to give the governor one hour more to consider what

[1] The lord Clarendon says, that the king came attended with two or three hundred of his servants, and gentlemen of the country, T. I. p. 397.

[2] Particularly with Mr. Pelham, member of parliament and alderman of Hull, Rushworth, Tom. IV. p. 567.

[3] This is Rushworth's account: See Tom. IV. p. 567, 572. But the lord Clarendon and Whitelocke say nothing of this offer of Hotham's, but only that he should say, he would not admit him, though with twenty horse only. Indeed it does not seem likely, that the king would have stood upon eight hark, since he offered to come in but with twenty, Clarendon, Tom. I. p. 397. Whitelock, p. 57.

[4] But they were not suffered to go out, till after some consultation, Rushworth, Tom. IV. p. 598.

what he did. But Hotham perſiſting in his reſolution, the king offered at laſt to enter with thirty horſe only [1], which was refuſed. In ſhort, about five in the evening, the king returning to the gate, commanded Hotham once more to open it, and upon his refuſal, cauſed him to be proclaimed traitor by two heralds he had brought with him. This done, he retired to Beverley, where he paſſed the night. The next morning, he ſent a herald to Hotham, to ſummon him once more to open the gates of Hull, with promiſe of pardon for what was paſt, but could not prevail; ſo that he was forced to return to York. 1642.

When it is conſidered, the king had formed a deſign to ſecure Hull from the time he reſolved to retire to York, as the lord Clarendon expreſsly owns, one would imagine, that at leaſt he had contrived proper means to accompliſh the undertaking, the ſucceſs whereof was ſo very important. But one knows not what to think, when this attempt is ſeen to be ſo ill-managed, that it was neither plauſible nor likely. The king was not ignorant, that Hotham was member of the houſe of commons, that the houſe had choſen him for the government of Hull, as a man they could confide in: that Hotham knew, he was to keep the place againſt the king, however his commiſſion might be worded. And yet, he imagines, that this man will be awed by his preſence alone, and not dare to deny him entrance with three hundred horſe, beſides the train of the two princes already admitted: that he will ſuffer himſelf to be deprived of his government, upon the bare ſcruple of diſobeying the king, he who probably was choſen by the commons as one of the leaſt ſcrupulous. I own, I cannot conceive how the king could be adviſed to declare himſelf ſo openly in attempting to ſeize Hull, and indeed, from that time, all confidence entirely vaniſhed. It ſignified nothing to colour this proceeding, and to ſay, he had no other deſign than to viſit the place and examine the magazine, to know what might be taken for the ſervice of Ireland and for arming the Scots, who were to ſerve in that country. This was not capable of deceiving the parliament, who knew but too plainly what was the king's deſign, and of what conſequence the execution would have been. There were no fewer papers, meſſages, anſwers, replies, about this affair, than about the militia. Reflection on this Event. T. I. p. 396.

The king was extremely troubled at this diſappointment, and ſeeing no other way to palliate his proceedings, he re-

[1] Twenty, ſays Clarendon and Whitelock. Ibid.

1642. solved expreſsly to deny, he had ever intended to become maſter of Hull. By this ſuppoſition, he meant to repreſent Sir John Hotham's action as a manifeſt treaſon, and accordingly demanded an authentic reparation of the parliament. He cited the laws and ſtatutes which placed in the king the care of defending the realm, and the command of the forts and magazines. But he conſtantly ſuppoſed the kingdom to be in a ſtate of tranquillity, as it was when theſe laws were made, which was by no means the caſe. He pretended, the forts and magazines were his own proper goods; and particularly that of Hull, being purchaſed with his own money, could not be withheld from him, without rendering his condition worſe than that of his meaneſt ſubject.

The king demands juſtice upon Hotham. April 24. Ruſhworth, IV. p. 567, 569. Clarendon, T. I. p. 398, &c.

But the parliament did not grant theſe ſuppoſitions. They pretended, that the forts and magazines were committed to the king, as a truſt to be employed for the preſervation, and not for the deſtruction of the people, and that the king's claim to the property of the forts and magazines was groundleſs. It is no wonder, that upon ſuch different principles, the papers ſhould abound on both ſides, without producing any great effects. The king however had this advantage, that the parliament could not evidently prove their aſſertions againſt him, and that the authority aſſumed by both houſes, was founded only on bare ſuſpicions of the king's ill-deſigns, which would have rendered it plauſible, had they been averr'd. But they did not think proper to wait for demonſtrations, to be aſſured of the king's ſecret intentions. It was enough to have reaſons to ſuſpect him, which to them appeared ſufficiently ſtrong to oblige them to take precautions, which might come too late, in caſe more convincing proofs were expected.

Ruſhworth, IV. p. 570, 578, &c.

This is the ſubſtance of all the papers publiſhed on both ſides, concerning Hull. As I have already inſerted a great many about the militia, I think it convenient to ſave the reader the pains of peruſing thoſe which were publiſhed on the preſent affair, and which run upon the ſame principles and ſuppoſitions ſo oft[illegible]entioned.

The king [illegible] to get Hull by intelligence. May. Ruſhworth, IV. p. 599, &c.

The parliament openly ſupported Sir John Hotham; ſo that after many meſſages, declarations, anſwers, and replies, the king had no way left to become maſter of Hull, but by ſurpriſe or force. The laſt of theſe ways was not very practicable, becauſe he could depend but on a very ſmall number of troops, and had no artillery, arms, or ammunition. It is true, he expected ſome from Holland, but the time was very uncertain. And therefore he attempted to take

take Hull by correſpondence. In the execution of this de- 1642.
ſign, he made uſe of Mr. Beckwith a gentleman of Beverley, who had a ſon-in-law, officer in Hull. But this officer diſcovered the plot to the governor, who was ſo civil as to ſend the king word, he might ſave himſelf the trouble of carrying on the contrivance, and at the ſame time ſent an expreſs to the parliament. Beckwith retiring to the king at York, the parliament diſpatched a meſſenger to ſeize and bring him to London: but the meſſenger was not permitted to execute his orders.

The king and parliament prepare for war, and ſtrive to gain the people. Ruſhworth, IV. p. 613. &c.

From that time, the king and the parliament prepared for war, it being very eaſy to foreſee, they ſhould at laſt be forced to it. But as each ſtood in need of the people to bear the expence, ſo each uſed all poſſible endeavours to gain them, by demonſtrating the injuſtice of the contrary party, and by ſtriving to convince them, that their good was only intended. The parliament pretended, that the malignants, by whom the king ſuffered himſelf to be guided, had formed a deſign to inſlave the nation, wherein they could not ſucceed, but by inflaming the miſunderſtanding between the king and the parliament, in order to engage them in a civil war, which they hoped would prove ſucceſsful to the king. This was the parliament's ſuppoſition, from whence they inferred, that therefore it was neceſſary to prevent by good meaſures the execution of this deſign, and to put themſelves in a poſture of defence, in caſe the king continued to be directed by theſe malignants.

The king, on his ſide, pretended, that the parliament, in feigning to have only in view the good of the kingdom, really meant to alter the conſtitution of church and ſtate: that they deſigned to aboliſh the regal power, or render the king but a ſhadow, whilſt both houſes ſhould be poſſeſſed of the government. He inferred from this ſuppoſition, that he ought to expoſe himſelf to the greateſt hazards, rather than receive law from his ſubjects, his conſcience and the care of the realm, which God had intruſted him with, not permitting him to ſuffer the alterations deſigned to be made in church and ſtate. Whatever ſecret motives both might have, the reaſons they alledged were very plauſible, and thoſe who ſought only juſtice, were not a little embarraſſed which ſide to eſpouſe. But the parliament ſeemed to have a great advantage over the king, in that their party was much more numerous, and the forts and militia in their poſſeſſion, with plenty of arms and ammunition, whereas the king was wholly unprovided. Nevertheleſs, the king was not

1642. not without hopes. He had, as I have ſaid, privately gained colonel Goring governor of Portſmouth. The queen was now buſy in Holland in procuring artillery, arms, ammunition, and ſeveral officers of the Engliſh troops in the Dutch ſervice. Moſt of the Yorkſhire gentlemen, the largeſt county in England, were for him, and he did not queſtion, but by their means he ſhould engage the whole county to declare in his favour. With this aſſiſtance, he hoped to prevent the parliament, and raiſe a ſufficient number of forces to take Hull, before the parliament ſhould be able to oppoſe it. He expected alſo, that when he was maſter of Hull and Portſmouth, and had received arms from Holland, many, who were ſtill reſtrained by the fear of wanting protection, would openly take his part. Moreover, he gave private notice to all his friends, that it was time to repair to York, and ordered letters to be ſent in his name to ſuch members as adhered to him, to abſent themſelves from the parliament and retire to York, or to other places where they could be ſerviceable to him.

The king ſummons all the gentry of Yorkſhire. Ruſhworth, IV. p. 615.

All theſe meaſures could not be taken ſo privately but the parliament had ſome information, and therefore the king endeavoured to give them ſome colour, to hinder his deſigns from being diſcovered. After his diſappointment at Hull, he ſummoned all the Yorkſhire tenants in chief, to appear at York the 12th of May.

A committee is ſent to York, who ſtay there in ſpite of the king. Ruſhworth, IV. p. 615. Clarendon, T. I. p. 403, 405.

Shortly after, both houſes ſent a committee to York [1], under pretence of bringing the king a meſſage about Hull and the militia, but, in reality, to be ſpies upon his actions. The meſſage was the more diſagreeable to him, as after having returned an anſwer and diſmiſſed the committee, they told him, they had orders to ſtay at York. Though it was eaſy for him to ſee with what view the parliament had ſent this committee, he thought not proper to uſe any violence to drive them from the city.

The king's propoſal to the gentry of Yorkſhire. Ruſhworth, IV. p. 615. Clarendon, T. I. p. 417.

The 12th of May, the gentry of the county being come to York, his majeſty made a ſpeech to them, wherein he proteſted, "That the enjoying of quiet was the chief cauſe "of his coming among them in the North, and not to "make that part of the kingdom a ſeat of war, as malice "would make them believe." He added, "that both "houſes of parliament did, by their meſſengers, brave him "even in York; and that, as his magazine of Hull was "going,

[1] Ferdinando lord Fairfax, Sir Hugh Cholmley, Sir Philip Stapleton, and Sir Henry Cholmley. Ruſhworth, Tom. IV. p. 615. To whom the lord Clarendon adds, the lord Howard of Eſerick, Tom. I. p. 403.

" going, directly againſt his will, to be taken from him, 1642.
" and the militia to be put in execution againſt law and his
" conſent; and laſtly, as Sir John Hotham's treaſon was
" countenanced, none could blame him for apprehending
" danger. Therefore he was reſolved to have a guard, in
" which he deſired their concurrence and aſſiſtance."

The Yorkſhire gentry being variouſly diſpoſed, it was not poſſible for the hearers of the king's ſpeech to agree in the ſame anſwer. Nay, it is ſaid, ſome violence was uſed by the court, to exclude from the debate ſuch as were known to be oppoſite to the king, and that theſe were forced to aſſemble elſewhere. For this reaſon the king received four different anſwers to his propoſition, two whereof were favourable, and the other two beſought him to hearken to the advice of his parliament. The guard however was raiſed, and the command thereof given to the prince of Wales [1].

He receives four different Anſwers. Ruſhworth, IV. p. 616, 617.

The king would have alſo removed the courts of juſtice from Weſtminſter to York, and even ſent a proclamation to the lord-keeper Littleton for that purpoſe, with orders to publiſh it. But the parliament having notice of it, forbad him to execute the orders.

The parliament hinders the king from removing the courts of juſtice to York.

Serjeant major-general Skippon being an excellent officer, and the king knowing the parliament deſigned to employ him, ſent for him to attend him at York. But the parliament gave him orders to the contrary, which Skippon obeyed. This doubtleſs was foreſeen by the King, but he was very glad to ſhew that the parliament deſired a war, ſince they ſo haughtily contradicted his orders.

As matters ſtood between the king and the parliament, a war ſeemed unavoidable, and probably it was determined on both ſides. The ſole concern was to amuſe the publick with good or bad reaſons, and try to caſt the blame on the oppoſite party. Mean while the king's two anſwers of March the 9th and the 20th, not being replied to, the parliament was apprehenſive, their ſilence would produce an ill effect in the minds of the people. Wherefore they took occaſion, in anſwering theſe two meſſages, to publiſh a manifeſto, under the name of remonſtrance or declaration, the 19th of May. As this manifeſto, and the king's anſwer are very proper to inform the reader of the reaſons of both parties, or at leaſt of thoſe they alledged to ſupport their cauſe and vindicate their conduct, I think it neceſſary to inſert theſe two papers, for fear the abridging them may be injury to either.

[1] This guard conſiſted of a troop of about ſix hundred horſe, and of a regiment of foot of the militia. Clar.

1642. *The declaration or remonſtrance of the lords and commons in parliament aſſembled,* May 19th, 1642.

Ruſhworth, IV. p. 691.

"THE infinite mercy and providence of the Almighty God hath been abundantly manifeſted ſince the beginning of this parliament, in great variety of protections and bleſſings, whereby he hath not only delivered us from many wicked plots and deſigns, which, if they had taken effect, would have brought ruin and deſtruction upon this kingdom; but out of thoſe attempts hath produced divers evident and remarkable advantages to the furtherance of thoſe ſervices, which we have been deſirous to perform to our ſovereign lord the king, and to this church and ſtate, in providing for the publick peace and proſperity of his majeſty, and all his realms, which in the preſence of the ſame all-ſeeing Deity, we proteſt to have been, and ſtill to be, the only end of all our counſels and endeavours, wherein we have reſolved to continue freed and enlarged from all private aims, perſonal reſpects or paſſions whatſoever [1].

REMARK (1.). It may be preſumed, there were in both houſes, many members who acted with ſincerity, and believed, they really ſerved the publick in whatever they did againſt the king. But it is hard to conceive, how both houſes, conſiſting of ſo many members, who were ignorant of one another's inward ſentiments, could call God to witneſs, that they acted only by juſt motives, free from paſſion and private views.

"In which reſolution we are nothing diſcouraged, although the heads of the malignant party, diſappointed of that prey, the religion and liberty of this kingdom, which they were ready to ſeize upon and devour before the beginning of this parliament, have ſtill perſiſted, by new practices, both of force and ſubtilty, to recover the ſame again; for which purpoſe they have made ſeveral attempts for the bringing up of the army; they afterwards projected the falſe accuſation of the lord Kimbolton and the five members of the houſe of commons, which being in itſelf of an odious nature, they yet ſo far prevailed with his majeſty, as to procure him to take it upon himſelf; but when the unchangeable duty and faithfulneſs of the parliament could not be wrought upon by ſuch a fact as that to withdraw any part of their reverence and obedience from his majeſty, they have, with much art and induſtry, adviſed his majeſty, to ſuffer divers unjuſt ſcandals

and

" and imputations upon the parliament, to be publiſhed in 1642.
" his name, whereby they might make it odious to the peo-
" ple, and by their help to deſtroy that which hath hitherto
" been the only means of their own preſervation.

" For this purpoſe, they have drawn his majeſty into the
" northern parts, far from the parliament, that ſo falſe ru-
" mours might have time to get credit, and the juſt defences
" of the parliament find a more tedious, difficult, and diſ-
" advantageous acceſs, after thoſe falſe imputations and ſlan-
" ders had been firſt rooted in the apprehenſion of his ma-
" jeſty, and his ſubjects; which the more ſpeedily to effect,
" they have cauſed a preſs to be tranſported to York, from
" whence ſeveral papers and writings of that kind are con-
" veyed to all parts of the kingdom, without the authority
" of the great ſeal, in an unuſual and illegal manner, and
" without the advice of his majeſty's privy-council; from
" the greater and better part whereof having withdrawn
" himſelf, as well as from his great council of parliament,
" he is thereby expoſed to the wicked and unfaithful coun-
" ſels of ſuch as have made the wiſdom and juſtice of the
" parliament dangerous to themſelves; and this danger they
" labour to prevent, by hiding their own guilt under the
" name and ſhadow of the king, infuſing into him their
" own fears, and as much as in them lies, aſperſing his royal
" perſon and honour with their own infamy, from both
" which it hath always been as much the care, as it is the
" duty of the parliament, to preſerve his majeſty, and fix
" the guilt of all evil actions and counſels, upon thoſe who
" have been the authors of them.

" Amongſt divers writings of this kind, we the lords and
" commons in parliament, have taken into our conſidera-
" tion two printed papers; the firſt containing a declara-
" tion, which they received from his majeſty, in anſwer of
" that which was preſented to his majeſty from both houſes
" of parliament at Newmarket, the 9th of March 164[illegible]
" The other, his majeſty's anſwer to the petition of both
" houſes, preſented to his majeſty at York, the 26th of
" March 1642, both which are filled with harſh cenſures,
" and cauſeleſs charges upon the parliament concerning
" which, we hold it neceſſary to give ſatisfaction to the
" kingdom, ſeeing we find it very difficult to ſatisfy his ma-
" jeſty, whom, to our great grief, we have found to be ill
" engaged to, and poſſeſſed by thoſe miſapprehenſions,
" which evil counſellors have wrought in him, that our
" moſt humble and faithful remonſtrances have either ill-

1642. "tated and imbittered, than any thing allayed or mitigated "the ſharp expreſſions, which his majeſty hath been pleaſed "to make in anſwer to them; for the manifeſtation where- "of, and of our own innocency, we deſire that all his "majeſty's loving ſubjects may take notice of theſe parti- "culars.

"We know no occaſion given by us, which might move "his majeſty to tell us, That in our declaration preſented "at Newmarket, there were ſome expreſſions different from "the uſual language to princes.

"Neither did we tell his majeſty, either in words or in "effect, That if he did not join with us in an act, which "his majeſty conceived might prove prejudical and dange- "rous to himſelf and the whole kingdom, we would make "a law without him, and impoſe it upon the people. That "which we deſired was, That in regard of the imminent "danger of the kingdom, the militia, for the ſecurity of his "majeſty and his people, might be put under the command "of ſuch noble and faithful perſons, as they had all cauſe to "confide in: and ſuch was the neceſſity of this preſerva- "tion, that we declare, That if his majeſty ſhould refuſe to "join with us therein, the two houſes of parliament, being "the ſupreme court, and higheſt council of the kingdom, "were enabled, by their own authority, to provide for the "repulſing of ſuch imminent and evident danger, not by "any new law of their own making, as hath been untruly "ſuggeſted to his majeſty, but by the moſt ancient law of "this kingdom, even that which is fundamental and eſſen- "tial to the conſtitution and ſubſiſtence of it.

"Although we never deſired to encourage his majeſty to "ſuch replies, as might produce any conteſtation betwixt "him and his parliament, of which we never found better "effect than loſs of time, and hindrance of the publick af- "fairs; yet we have been far from telling him, of how lit- "tle value his words would be with us, much leſs when "they are accompanied with actions of love and juſtice. "His majeſty hath more reaſon to find fault with thoſe "wicked counſellors, who have ſo often bereaved him of "the honour, and his people of the fruit, of many gracious "ſpeeches which he made to them, ſuch as thoſe in the end "of the laſt parliament; *That on the word of a king, and as "he was a gentleman, he would redreſs the grievances of his "people, as well out of parliament as in it.* Were the ſearch- "ing the ſtudies and chambers, yea, the pockets of ſome, "both of the nobility and commons, the very next day;

"the

"the commitment of Mr. Bellaſis, Sir John Hotham, and 1642.
"Mr. Crew; the continued oppreſſions by ſhip-money, coat
"and conduct-money; with the manifold impriſonments,
"and other vexations thereupon, and other enſuing viola-
"tions of the laws and liberties of the kingdom, (all which
"were the effects of evil counſel, and abundantly declared in
"our general remonſtrance of the ſtate of the kingdom)
"actions of love and juſtice, ſuitable to ſuch words as thoſe?

"As gracious was his majeſty's ſpeech in the beginning
"of this parliament: *That he was reſolved to put himſelf*
"*freely and clearly upon the love and affection of his Engliſh*
"*ſubjects.* Whether his cauſeleſs complaints and jealouſy,
"the unjuſt imputations ſo often caſt upon his parliament,
"his denial of their neceſſary defence by the ordinance of
"the militia, his dangerous abſenting himſelf from his
"great council, like to produce ſuch a miſchievous diviſion
"in the kingdom, have not been more ſuitable to other
"mens evil counſels, than to his own words, will eaſily ap-
"pear to any indifferent judgment.

"Neither have his latter ſpeeches been better uſed and
"preſerved by theſe evil and wicked counſellors. Could
"any words be fuller of love and juſtice, than thoſe in his
"anſwer to the meſſage ſent the houſe of commons, the
"31ſt of December 1641? *We do engage unto you ſolemnly,*
"*on the word of a king, that the ſecurity of all, and every one*
"*of you from violence, is, and ever ſhall be as much our care,*
"*as the preſervation of us and our children.* And could any
"actions be fuller of injuſtice and violence than that of the
"attorney-general, in falſly accuſing the ſix members of
"parliament, and the other proceedings thereupon, within
"three or four days after that meſſage? For the full view
"whereof let the declaration made of thoſe proceedings be
"peruſed; and by thoſe inſtances (we could add many
"more) let all the world judge, who deſerves to be taxed
"with diſvaluing his majeſty's words, they, who have as
"much as in them lies ſtained and ſullied them with ſuch
"foul counſels; or the parliament, who have ever mani-
"feſted, with joy and delight, their humble thankfulneſs
"for thoſe gracious words and actions of love and juſtice
"which have been conformable thereunto.

"The king is pleaſed to diſavow the having any ſuch
"evil council or counſellors, as are mentioned in our de-
"claration, to his knowledge; and we hold it our duty,
"humbly to avow there are ſuch, or elſe we muſt ſay
"all the ill things done of late in his majeſty's name,

1642. "been done by himſelf, wherein we ſhould neither follow "the direction of the law, nor the affection of our own "hearts, which is, as much as may be, to clear his ma- "jeſty from all imputation of miſ-government, and to lay "the fault upon his miniſters; the falſe accuſing of ſix "members of parliament; the juſtifying of maſter attorney "in that falſe accuſation; the violent coming to the houſe "of commons; the denial of the militia; the ſharp meſſa- "ges to both houſes, contrary to the cuſtoms of former "kings; the long and remote abſence of his majeſty from "parliament; the heavy and wrongful taxes upon both "houſes; the cheriſhing and countenancing a diſcontented "party in the kingdom againſt them: theſe certainly are "the fruits of very ill counſel, apt to put the kingdom in- "to a combuſtion, to hinder the ſupplies of Ireland, and "to countenance the proceedings and pretenſions of the "rebels there; and the authors of thoſe evil counſels, we "conceive, muſt needs be known to his majeſty. And we "hope our labouring with his majeſty to have theſe diſco- "vered and brought to a juſt cenſure, will not ſo much "wound his honour, in the opinion of his good ſubjects, "as his labouring to preſerve and conceal them.

"And whereas his majeſty ſaith, he could wiſh that his "own immediate actions, which he avows on his own ho- "nour, might not be ſo roughly cenſured under that com- "mon ſtile of evil counſellors: we could alſo heartily wiſh, "that we had not cauſe to make that ſtile ſo common: but "how often and undutiful ſoever theſe wicked counſellors "fix their diſhonour upon the king, by making his majeſty "the author of thoſe evil actions, which are the effects of "their own evil counſels, we his majeſty's loyal and duti- "ful ſubjects can uſe no other ſtile, according to that "maxim in the law, *The king can do no wrong*; but if any "ill be committed in matter of ſtate, the council; if in "matter of juſtice, the judges muſt anſwer for it.

"We lay no charge upon his majeſty, which ſhould put "him upon that apology, concerning his faithful and zea- "lous affection of the proteſtant profeſſion: neither doth "his majeſty endeavour to clear thoſe in greateſt authority "about him, by whom (we ſay) that deſign hath been po- "tently carried on for divers years; and we rather wiſh, "that the mercies of heaven, than the judgments, may "be manifeſted upon them; but that there hath been ſuch, "there are ſo plentiful and frequent evidences, that we be- "lieve there is none, either proteſtant or papiſt, who hath

"but

" had any reaſonable view of the paſſages of latter times, 1642.
" but either in fear or hope, did expect a ſudden iſſue of
" this deſign.

" We have no way tranſgreſſed againſt the act of obli-
" vion, by remembring the intended war againſt Scotland,
" as a branch of that deſign to alter religion, by thoſe
" wicked counſels, from which God did then deliver us,
" which we ought never to forget.

" That the rebellion in Ireland was framed and cheriſhed
" by the popiſh and malignant party in England, is not
" only affirmed by the rebels, but may be cleared by many
" other proofs: The ſame rebellious principles of pretended
" religion, the ſame politic ends, are apparent in both, and
" their malicious deſigns and practices are maſked and diſ-
" guiſed with the ſame falſe colour, of their earneſt zeal to
" vindicate his majeſty's prerogative from the ſuppoſed op-
" preſſion of the parliament. How much theſe treacherous
" pretences have been countenanced by ſome evil counſel
" about his majeſty, may appear in this, That the procla-
" mation whereby they were declared traitors, was ſo long
" with-held as to the 2d of January, though the rebellion
" broke forth in October before, and then no more but
" forty copies appointed to be printed, with a ſpecial com-
" mand from his majeſty not to exceed that number; and
" that none of them ſhould be publiſhed, till his majeſty's
" pleaſure were further ſignified, as by the warrant appears,
" a true copy whereof is hereunto added, ſo that a few
" only could take notice of it; which was made more ob-
" ſervable, by the late contrary proceedings againſt the
" Scots, who were in a very quick and ſharp manner pro-
" claimed; and thoſe proclamations forthwith diſperſed,
" with as much diligence as might be, through all the
" kingdom, and ordered to be read in all churches, ac-
" companied with public prayers and execrations.

" Another evidence of favour and countenance to the
" rebels, in ſome of power about his majeſty, is this, That
" they have put forth in his name a cauſeleſs complaint
" againſt the parliament, which ſpeaketh the ſame lan-
" guage of the parliament which the rebels do, whereby
" to raiſe a belief in mens minds, that his majeſty's affec-
" tions are alienated, as well as his perſon is removed from
" that great council; all which doth exceedingly retard the
" ſupplies of Ireland, and more advance the proceedings of
" the rebels, than any jealouſy or miſapprehenſion
" ten in his ſubjects, by the declaration of the

1642. "junctions of Roſetti, or information of Triſtram Whitecomb; ſo that, conſidering the preſent ſtate and temper "of both kingdoms, his royal preſence is far more neceſſary "here than it can be in Ireland, for redemption or protection of his ſubjects there.

"And whether there be any cauſe of his majeſty's great "indignation, for being reproached to have intended force "or threatning to the parliament, we deſire them to conſider, who ſhall read our declaration, in which there is "no word tending to any ſuch reproach; and certainly we "have been more tender of his majeſty's honour in this "point, than he, whoſoever he was, that did write this "declaration, where, in his majeſty's name, he doth call "God to witneſs, he never had any ſuch thought, or knew "of any ſuch reſolution of bringing up the army; which "truly will ſeem ſtrange to thoſe, who ſhall read the depoſition of Mr. Goring, the information of Mr. Percy, and "divers other examinations of Mr. Wilmot, Mr. Pollard, "and others; the other examinations of captain Legg, Sir "Jacob Aſhley, Sir John Coniers; and conſider the condition and nature of the petition which was ſent unto Sir "Jacob Aſhley, under the approbation C. R. which his "majeſty doth now acknowledge to be his own hand; and "being full of ſcandal to the parliament, might have proved "dangerous to the whole kingdom, if the army ſhould "have interpoſed betwixt the king and them, as was deſired.

"We do not affirm, that his majeſty's warrant was "granted for the paſſage of Mr. Jermin, after the deſire "of both houſes for reſtraint of his ſervants, but only that "he did paſs over, after that reſtraint, by virtue of ſuch a "warrant. We know the warrant bears date the day before our deſire; yet it ſeems ſtrange to thoſe who know "how great reſpect and power Mr. Jermin had in court, "that he ſhould begin his journey in ſuch haſte, and in "apparel ſo unfit for travel, as a black ſatten ſuit, and "white boots, if his going away were deſigned the day "before.

"The accuſation of the lord Kimbolton, and the five "members of the houſe of commons, is called a breach "of privilege; and truly ſo it was, and a very high one, "far above any ſatisfaction that hath been yet given: how "can it be ſaid to be largely ſatisfied, ſo long as his majeſty "laboured to preſerve maſter attorney from puniſhment, "who was the viſible actor in it; ſo long as his majeſty

"hath

" hath not only juſtified him, but by his letters declared, 1642.
" that it was his duty to accuſe them, and that he would
" have puniſhed him, if he had not done it; ſo long as
" thoſe members have not the means of clearing their in-
" nocency, and the authors of that malicious charge un-
" diſcovered, though both houſes of parliament have ſeveral
" times petitioned his majeſty to diſcover them, and that
" not only upon grounds of common juſtice, but by act
" of parliament, his majeſty is bound to do it; ſo long as
" the king refuſes to paſs a bill for their diſcharge, alledg-
" ing, That the narrative in that Bill is againſt his honour,
" whereby he ſeems ſtill to avow the matter of that falſe
" and ſcandalous accuſation, though he deſerts the proſe-
" cution, offering to paſs a bill for their acquittal; yet with
" intimation, that they muſt deſert the avowing their own
" innocency, which would more wound them in honour,
" than ſecure them in law.

" And in vindication of this great privilege of parlia-
" ment, we do not know that we have invaded any pri-
" vilege belonging to his majeſty, as is alledged in this
" declaration.

" But we look not upon this only in the notion of a
" breach of privilege, which might be, though the accuſa-
" tion were true or falſe, but under the notion of a hein-
" ous crime in the attorney, and all other ſubjects who had
" a hand in it; a crime againſt the law of nature, againſt
" the rules of juſtice, that innocent men ſhould be charged
" with ſo great an offence as treaſon, in the face of the
" higheſt judicatory of the kingdom, whereby their lives
" and eſtates, their blood and honour, are endangered,
" without witneſs, without evidence, without all poſſibi-
" lity of reparation in a legal courſe, yet a crime of ſuch
" a nature, that his majeſty's command can no more war-
" rant, than it can any other acts of injuſtice. It is true,
" that thoſe things which are evil in their own nature, ſuch
" as falſe teſtimony, or falſe accuſation, cannot be the ſub-
" ject of any command, or induce any obligation of obedi-
" ence upon any man, by any authority whatſoever; there-
" fore the attorney in this caſe was bound to refuſe to exe-
" cute ſuch a command, unleſs he had ſome ſuch evidence
" or teſtimony, as might have warranted him againſt the
" parties, and be liable to make ſatisfaction if it ſhould
" prove falſe; and it is ſufficiently known to every man,
" and adjudged in parliament, That the king can be neither
" the relator, informer, or witneſs. If it reſt as it is,
" without

1642. " without further ſatisfaction, no future parliament can be
" ſafe, but that the members may be taken and deſtroyed
" at pleaſure; yea the very principles of government and
" juſtice will be in danger to be diſſolved."

" We do not conceive, that numbers do make an aſſem-
" bly unlawful, but when either the end or manner of their
" carriage ſhall be unlawful. Divers juſt occaſions might
" draw the citizens to Weſtminſter, where many publick
" and private petitions, and other cauſes, were depending
" in parliament; and why that ſhould be found more faulty
" in the citizens, than the reſort of great numbers every
" day in the term to the ordinary courts of juſtice, we
" know not. That thoſe citizens were notoriouſly pro-
" voked and aſſaulted at Weſtminſter, by colonel Lunsford,
" captain Hide, with divers others, and by ſome of the
" ſervants of the archbiſhop of York, is ſufficiently proved;
" and that afterward they were more violently wounded,
" and moſt barbarouſly mangled with ſwords, by the offi-
" cers and ſoldiers near Whitehall, many of them being
" without weapons, and giving no cauſe of diſtaſte, as is
" likewiſe proved by ſeveral teſtimonies; but of any ſcan-
" dalous or ſeditious miſdemeanours of theirs, that might
" give his majeſty good cauſe to ſuppoſe his own perſon, or
" thoſe of his royal conſort, or children, to be in apparent
" danger, we have had no proof ever offered to either houſe;
" and if there had been any complaint of that kind, it is no
" doubt the houſes would have been as forward to join in
" an order for the ſuppreſſing ſuch tumults, as they were not
" long before upon another occaſion, when they made an
" order to that purpoſe. Whereas thoſe officers and ſol-
" diers, which committed that violence upon ſo many of
" the citizens at Whitehall, were cheriſhed and foſtered in
" his majeſty's houſe: and when, not long after, the com-
" mon-council of London preſented a petition to his ma-
" jeſty, for reparation of thoſe injuries; his majeſty's an-
" ſwer was, (without hearing the proof of the complainants)
" that if any citizen were wounded or ill-treated, his ma-
" jeſty was confidently aſſured, that it happened by their
" own evil and corrupt demeanours.

" We hope it cannot be thought contrary to the duty
" and wiſdom of a parliament, if many concurring, and
" frequently reiterated and renewed advertiſements from
" Rome, Venice, Paris, and other parts; if the ſolicita-
" tions of the pope's nuncio, and our own diſcontented fu-
" gitives, do make us jealous and watchful for the ſafety of

" the

" the ſtate. And we have been very careful to make our 1642.
" expreſſions thereof ſo eaſy and ſo plain to the capacity and
" underſtanding of the people, that nothing might juſtly
" ſtick with them, with reflection upon the perſon of his
" Majeſty. Wherein we appeal to the judgment of any
" indifferent perſon, who ſhall read and peruſe our own
" words. We muſt maintain the ground of our fears to be
" of that moment, that we cannot diſcharge the truſt and
" duty which lies upon us, unleſs we do apply ourſelves to
" the uſe of thoſe means which the law hath enabled us in
" caſes of this nature, for the neceſſary defence of the
" kingdom; and as his majeſty doth graciouſly declare, the
" law ſhall be the meaſure of his power; ſo do we moſt
" heartily profeſs, that we ſhall always make it the rule of
" our obedience.

Prudent omiſſions in the king's anſwer.

" The next point of our declaration was with much cau-
" tion artificially paſſed over by him, who drew his majeſty's
" anſwer, it being indeed the foundation of all our miſery,
" and his majeſty's trouble, that he is pleaſed to hear ge-
" neral taxes upon his parliament, without any particular
" charge to which they may give ſatisfaction, and that he
" hath often conceived diſpleaſure againſt particular perſons
" upon miſinformation; and although thoſe informations
" have been clearly proved to be falſe, yet he would never
" bring the accuſers to queſtion, which layeth an impoſſi-
" bility upon honeſt men of clearing themſelves, and gives
" encouragement unto falſe and unworthy perſons to trou-
" ble with untrue and groundleſs informations; three parti-
" culars we mentioned in our declaration, which the penner
" of that anſwer had good cauſe to omit; the words ſup-
" poſed to be ſpoken at Kenſington; the pretended articles
" againſt the queen; and the groundleſs accuſation of the
" ſix members of parliament, there being nothing to be
" ſaid in defence or denial of any of them.

" Concerning his majeſty's deſire to join with his parlia-
" ment, and with his faithful ſubjects, in defence of reli-
" gion, and publick good of the kingdom, we doubt not
" but he will do it fully, when evil counſellors ſhall be re-
" moved from about him; and until that be, as we have
" ſhowed before, of words, ſo muſt we alſo ſay of laws,
" that they cannot ſecure us; witneſs the petition of right,
" which was followed with ſuch an inundation of illegal
" taxes, that we had juſt cauſe to think, that the payment
" of eight hundred and twenty thouſand pounds was eaſy

1642. "easy burthen to the commonwealth, in exchange of "them; and we cannot but justly think, that if there be "a continuance of such ill counsellors, and favour to them, "they will by some wicked device or other, make the bill "for the triennial parliament, and those other excellent "laws mentioned in his majesty's declaration, of less value "than words.

"That excellent bill for the continuance of this parlia- "ment was so necessary, that without it, we could not "have raised so great sums of money for the service of his "majesty and the commonwealth as we have done, and "without which the ruin and destruction of the kingdom "must needs have followed. And we are resolved, the "gracious favour of his Majesty expressed in that bill, and "the advantage and security which thereby we have from "being dissolved, shall not encourage us to do any thing, "which otherwise had not been fit to have been done. "And we are ready to make it good before all the world, "that although his majesty hath passed many bills very "advantageous for the subject, yet in none of them have "we bereaved his majesty of any just, necessary, or profit- "able prerogative of the crown. We so earnestly desire "his majesty's return to London, for that upon it, we con- "ceive, depends the very safety and being of both his king- "doms: and therefore we must protest, that as for the "time past, neither the government of London, nor any "laws of the land, have lost their life and force for his se- "curity; so for the future, we shall be ready to do or say, "any thing that may stand with the duty or honour of a "parliament, which may raise a mutual confidence betwixt "his majesty and us, as we do wish, and as the affairs of "the kingdom do require.

"Thus far the answer to that which is called his ma- "jesty's declaration, hath led us. Now we come to that "which is intitled, *His majesty's answer to the petition of both "houses, presented to him at* York *the 26th of* March 1642. "In the beginning whereof his majesty wisheth, that our "privileges on all parts were so stated, that this way of "correspondency might be preserved, with that freedom "which hath been used of old. We know nothing intro- "duced by us that gives any impediment hereunto; neither "have we affirmed our privileges to be broken, when his "majesty denies us any thing, or gives us a reason why he "cannot grant it, or that those who advised such denial, "were enemies to the peace of the kingdom, and favour-

"ers

"ers of the Iriſh rebellion, in which aſperſion, that is 1642.
"turned into a general aſſertion, which in our votes is ap-
"plied to a particular caſe; wherefore we muſt maintain
"our votes, that thoſe who adviſed his majeſty to contra-
"dict that which both houſes, in the queſtion concerning
"the militia, had declared to be law and command, it
"ſhould not be obeyed, is a high breach of privilege; and
"that thoſe who adviſed his majeſty to abſent himſelf from
"his parliament, are enemies to the peace of the kingdom,
"and juſtly to be ſuſpected to be favourers of the rebellion
"in Ireland. The reaſons of both are evident, becauſe in
"the firſt there is as great a derogation from the truſt and
"authority of parliament; and in the ſecond, as much ad-
"vantage to the proceedings and hopes of the rebels as
"may be: and we hold it a very cauſeleſs imputation upon
"the parliament, that we have herein any way impeached,
"much leſs taken away, the freedom of his majeſty's vote,
"which doth not import a liberty for his majeſty to deny
"any thing, how neceſſary ſoever, for the preſervation of
"the kingdom, much leſs a licence to evil counſellors, to
"adviſe any thing, though never ſo deſtructive to his ma-
"jeſty and his people. (2.)

REM. (2.) I do not think it was ever decided, to what acts the king may, or may not, deny his aſſent. So there ariſes an inexhauſtible fountain of diſputes, when the king and parliament do not agree.

"By the meſſage of the 20th of January, his majeſty
"did propound to both houſes of parliament, that they
"would with all ſpeed fall into a ſerious conſideration of all
"thoſe particulars, which they thought neceſſary, as well
"for the upholding and maintaining his majeſty's juſt and
"regal authority, and for the ſettling his revenue, as for the
"preſent and future eſtabliſhing our privileges, the free and
"quiet enjoying our eſtates, the liberties of our perſons,
"the ſecurity of the true religion profeſſed in the church of
"England, and the ſettling of ceremonies in ſuch a manner
"as may take away all juſt offence, and digeſt it into one
"entire body.

"To that point of upholding and maintaining his royal
"authority, we ſay, nothing hath been done to the pre-
"judice of it, that ſhould require any new proviſion: to
"the other of ſettling the revenue, the parliament hath no
"way abridged or diſordered the juſt revenue; but it is
"true that much waſte and confuſion of his majeſty's eſtate
"hath been made by thoſe evil and unfaithful miniſters

1642. " whom he hath employed in the managing of it, whereby
" his own ordinary expences would have been diſappointed,
" and the ſafety of the kingdom more endangered, if the
" parliament had not in ſome meaſure provided for his
" houſhold, and for ſome of the forts, more than they
" were bound to do; and they are ſtill willing to ſettle ſuch
" a revenue upon his majeſty, as may make him live roy-
" ally, plentifully, and ſafely; but they cannot in wiſdom
" and fidelity to the common-wealth do this, till he ſhall
" chuſe ſuch counſellors, and officers as may order and diſ-
" poſe it to the publick good, and not apply it to the ruin
" and deſtruction of his people, as heretofore it hath been.
" But this and the other matters concerning ourſelves, be-
" ing works of great importance, and full of intricacy, will
" require ſo long a time of deliberation, that the kingdom
" might be ruined before we ſhould effect them. Where-
" fore we thought it neceſſary, firſt to be ſuiters to his ma-
" jeſty, ſo to order the militia, that the kingdom being ſe-
" cured, we might with more eaſe and ſafety apply our-
" ſelves to debate of that meſſage, wherein we have been
" interrupted by his majeſty's denial of the ordinance con-
" cerning the ſame, becauſe it would have been in vain for
" us to labour in other things, and in the mean time to
" leave ourſelves naked to the malice of ſo many enemies
" both at home and abroad; yet we have not been altoge-
" ther negligent of thoſe things which his majeſty is pleaſed
" to propound in that meſſage; we have agreed upon a
" book of rates in a larger proportion than hath been grant-
" ed to any of his majeſty's predeceſſors, which is a con-
" ſiderable ſupport of his majeſty's publick charge; and
" have likewiſe prepared divers propoſitions and bills for
" preſervation of our religion and liberties, which we in-
" tend ſhortly to preſent to his majeſty, and to do whatſo-
" ever is fit for us to make up this unpleaſant breach be-
" twixt his majeſty and his parliament.

" Whereas divers exceptions are here taken concerning
" the militia; firſt, that his majeſty never denied the thing,
" but accepted the perſons (except for corporations) only;
" that he denied the way. To which we anſwer, that that
" exception takes off London and all other great towns
" and cities, which makes a great part of the kingdom;
" and for the way of ordinance it is antient, more ſpeedy,
" more eaſily alterable, and in all theſe and other reſpects,
" more proper and more applicable to the preſent occaſion,
" than a bill which his majeſty calls the only good old way

" of

" of impoſing upon the ſubjects. It ſhould ſeem that nei- 1642.
" ther his majeſty's royal predeceſſors, nor our anceſtors
" have heretofore been of that opinion; 37 Ed. 3. we find
" this record, *The chancellor made declaration of the challenge*
" *of the parliament; the king deſires to know the griefs of his*
" *ſubjects, and to redreſs enormities. The laſt day of the par-*
" *liament, the king demanded of the whole eſtates, whether*
" *they would have ſuch things as they agreed on, by way of*
" *ordinance or ſtatute? who anſwered, by way of ordinance; for*
" *that they might amend the ſame at their pleaſure, and ſo it was.*

" But his majeſty objects further, that there is ſomewhat
" in the preface, to which he could not conſent with juſtice
" to his honour and innocence, and that thereby he is ex-
" cluded from any power in the diſpoſing of it. Theſe
" objections may ſeem ſomewhat, but indeed will appear
" nothing, when it ſhall be conſidered, that nothing in the
" preamble lays any charge upon his majeſty, or in the
" body of the ordinance, that excludes his royal authority
" in the diſpoſing or execution of it: but only it is pro-
" vided, that it ſhould be ſignified by both houſes of par-
" liament, as that channel through which it will be beſt
" derived, and moſt certainly to thoſe ends for which it is
" intended; and let all the world judge, whether we have
" not reaſon to inſiſt upon it, that the ſtrength of the king-
" dom ſhould rather be ordered according to the direction
" or advice of the great council of the land, equally in-
" truſted by the king, and by the kingdom, than that the
" ſafety of the king, parliament, and kingdom, ſhould be
" left at the devotion of a few unknown counſellors, many
" of them not intruſted at all by the king in any publick
" way, not at all confided in by the kingdom.

" We wiſh the danger were not imminent, or not ſtill
" continuing, but cannot conceive, that the long time ſpent
" in this debate is evidence ſufficient that there was no ſuch
" neceſſity or danger, but a bill might eaſily have been pre-
" pared; for when many cauſes do concur to the danger
" of a ſtate, the interruption of any one may hinder the
" execution of the reſt, and yet the deſign be ſtill kept on
" foot for better opportunities. Who knows whether the
" ill ſucceſs of the rebels in Ireland had not hindered the
" inſurrection of the papiſts here? whether the preſervation
" of the ſix members of the parliament falſely accuſed,
" hath not prevented that plot of the breaking the neck
" of the parliament, of which we were informed from
" France, not long before they were accuſed? yet ſince his
majeſty

1642. " majeſty hath been pleaſed to expreſs his pleaſure rather
" for a bill than an ordinance, and that he ſent in one for
" that purpoſe, we readily entertained it, and with ſome
" ſmall and neceſſary alterations, ſpeedily paſſed the ſame:
" but, contrary to the cuſtom of parliament, and our ex-
" pectations grounded upon his majeſty's own invitation of
" us to that way, and the other reaſons manifeſted in our
" declaration concerning the militia of the 5th of May, in-
" ſtead of his royal aſſent, we met with an abſolute refuſal.

" If the matter of theſe our votes of the 15th and 16th
" of March, be according to law, we hope his majeſty will
" allow the ſubjects to be bound by them, becauſe he hath
" ſaid, he will make the law the rule of his power; and if
" the queſtion be, whether that be law which the lords and
" commons have once declared to be ſo, who ſhall be the
" judge? not his majeſty; for the king judgeth not of
" matters of law, but by his courts; and his courts, though
" ſitting by his authority, expect not his aſſent in matters
" of law: Nor any other courts, for they cannot judge in
" that caſe, becauſe they are inferior; no appeal lying to
" them from parliament, the judgment whereof is, in the
" eye of the law, the king's judgment in his higheſt court;
" though the king in his perſon be neither preſent nor aſ-
" ſenting thereunto. (3.)

REM. (3.) I obſerved elſewhere, the defect of this rea-ſoning, which is a mere fallacy, grounded upon the equi-vocal word parliament. For under colour, that in a cer-tain ſenſe, the two houſes alone are called the parliament, they aſſume here to themſelves the rights belonging ſolely to the parliament compoſed of king, lords, and commons.

" The votes at which his majeſty takes exceptions, are
" theſe:

" *That the king's abſence ſo far remote from the parliament,*
" *is not only an obſtruction, but may be a deſtruction to the af-*
" *fairs of Ireland.*

" *That when the lords and commons ſhall declare what the*
" *law of the land is, to have this not only queſtioned and con-*
" *troverted, but contradicted, and a command that it ſhould not*
" *be obeyed, is a high breach of the privilege of parliament.*

" *That thoſe perſons that adviſed his majeſty to abſent him-*
" *ſelf from the parliament, are enemies to the peace of the*
" *kingdom, and juſtly may be ſuſpected to be favaurers of the*
" *rebellion in Ireland.*

" *That the kingdom hath been of late, and ſtill is, in ſo im-*
" *minent danger, both from enemies abroad, and a popiſh and*

" *diſcon-*

" *diſcontented party at home, that there is an urgent and in-* 1642.
" *evitable neceſſity of putting his majeſty's ſubjects into a poſture*
" *of defence, for the ſafeguard both of his majeſty and his*
" *people.*

" *That the lords and commons fully apprehending this danger,*
" *and being ſenſible of their own duty, to provide a ſuitable*
" *prevention, have in ſeveral petitions addreſſed themſelves to*
" *his majeſty, for the ordering and diſpoſing of the militia of*
" *the kingdom, in ſuch a way as was agreed upon by the wiſ-*
" *dom of both houſes, to be moſt effectual and proper for the*
" *preſent exigents of the kingdom, yet could not obtain it; but*
" *his majeſty did ſeveral times refuſe to give his royal aſſent*
" *thereunto.*

" *That in this caſe of extreme danger, and his majeſty's re-*
" *fuſal, the ordinance of parliament agreed upon by both houſes*
" *for the militia, doth oblige the people, and ought to be obeyed*
" *by the fundamental laws of this kingdom.*

" By all which it doth appear, that there is no colour
" that by this tax we go about to introduce a new law,
" much leſs to exerciſe an arbitrary power, but indeed to
" prevent it; for this law is as old as the kingdom, that the
" kingdom muſt not be without a means to preſerve itſelf;
" which that it may be done without confuſion, this nation
" hath intruſted certain hands with a power to provide, in
" an orderly and regular way, for the good and ſafety of
" the whole; which power, by the conſtitution of this
" kingdom, is in his majeſty and in his parliament together:
" Yet ſince the prince, being but one perſon, is more ſub-
" ject to accidents of nature and chance, whereby the com-
" monwealth may be deprived of the fruit of that truſt
" which was in part repoſed in him; in caſes of ſuch ne-
" ceſſity, that the kingdom may not be inforced preſently
" to return to its firſt principles, and every man left to do
" what is right in his own eyes, without either guide or
" rule, the wiſdom of this ſtate hath intruſted the houſes of
" parliament with a power to ſupply what ſhall be wanting
" on the part of the prince; as is evident by the conſtant
" cuſtom and practice thereof in caſes of nonage, natural
" diſability, and captivity; and the like reaſon doth and
" muſt hold for the exerciſe of the ſame power in ſuch caſes,
" where the royal truſt cannot be, or is not diſcharged, and
" that the kingdom runs an evident and imminent danger
" thereby; which danger having been declared by the lords
" and commons in parliament, there needs not the autho-
" rity

1642. " rity of any perſon or court to affirm; nor is it in the power
" of any perſon or court to revoke that judgment. (4.)

REM. (4.) All theſe reaſonings of both houſes are founded upon the ſuppoſition of an imminent danger. When they come to give proofs of the reality of this danger, they alledge only ſuſpicions, whereof they explain the cauſes. After which they affirm the danger to be real, becauſe they have declared it ſo, and becauſe there is no ſuperior authority to contradict their judgment. But this declaration does not make the danger real, if it be not ſo indeed. It is eaſy therefore to perceive, by their way of proceeding, that they are embarraſſed by this article.

" We know the king hath ways enough in his ordi-
" nary courts of juſtice to puniſh ſuch ſeditious pamphlets
" and ſermons, as are any way prejudicial to his rights, ho-
" nour, and authority; and if any of them have been ſo
" inſolently violated and vilified, his majeſty's own council
" and officers have been to blame, and not the parliament.
" We never did reſtrain any proceedings of this kind in
" other courts, nor refuſe any fit complaint to us. The
" *Proteſtation proteſted* was referred by the commons houſe
" to a committee, and the author being not produced, the
" printer was committed to priſon, and the book voted by
" that committee to be burnt; but ſir Edward Deering,
" who was to make that report of the votes of that com-
" mittee, neglected to make it. The *Apprentices Proteſta-*
" *tion* was never complained of; but the other ſeditious
" pamphlet (*To your Tents, O Iſrael*) was once queſti-
" oned, and the full proſecution of it was not interrupted
" by any fault of either houſe, whoſe forwardneſs to do his
" majeſty all right therein, may plainly appear, in that a
" committee of lords and commons were purpoſely ap-
" pointed to take ſuch information as the king's council
" ſhould preſent, concerning ſeditious words, practices, or
" tumults, pamphlets or ſermons, tending to the deroga-
" tion of his majeſty's rights or prerogative; and his coun-
" cil were enjoined by that committee to enquire and pre-
" ſent them; who ſeveral times met thereupon, and re-
" ceived this anſwer and declaration from the king's coun-
" cil, *That they knew of no ſuch thing as yet.*

" If his majeſty had uſed the ſervice of ſuch a one in
" penning this anſwer, who underſtood the laws and go-
" vernment of this kingdom, he would not have thought
" fit legally in his power to deny his parliament a guard,
" when they ſtood in need of it, ſince every ordinary court

" hath it; neither would his majeſty, if he had been well- 1642.
" informed of the laws, have refuſed ſuch a guard as they
" deſired, it being in the power of inferior courts to com-
" mand their own guard; neither would he have impoſed
" upon them ſuch a guard, under a commander which they
" could not confide in; which is clearly againſt the privi-
" leges of parliament, and of which they found very dan-
" gerous effects, and therefore deſired to have it diſcharged.
" But ſuch a guard, and ſo commanded, as the houſes of
" parliament deſired, they could never obtain of his ma-
" jeſty; and the placing of a guard about them, contrary
" to their deſire, was not to grant a guard to them, but in
" effect, to ſet one upon them. All which conſidered;
" we believe in the judgments of any indifferent perſons, it
" will not be thought ſtrange, if there were a more than
" ordinary reſort of people at Weſtminſter, of ſuch as came
" willingly of their own accord to be witneſſes and helpers
" of the ſafety of them, whom all his majeſty's good ſub-
" jects are bound to defend from violence and danger; or
" that ſuch a concourſe as this, they carrying themſelves
" quietly, and peaceably (as they did) ought, in his ma-
" jeſty's apprehenſion, or can, in the interpretation of the
" law, be held tumultuary and ſeditious.

" When his majeſty, in that queſtion of violation of the
" laws, had expreſſed the obſervation of them indefinitely,
" without any limitation of time, although we never ſaid
" or thought any thing that might look like a reproach to
" his majeſty, yet we had reaſon to remember that it had
" been otherwiſe, leſt we ſhould ſeem to deſert our former
" complaints and proceedings thereupon, as his majeſty doth
" ſeem but little to like or approve of them; for although
" he doth acknowledge here, that great miſchief that grew
" by that arbitrary power then complained of, yet ſuch
" are continually preferred and countenanced as were friends
" or favourers, or related unto the chief authors and actors
" of that arbitrary power, and of thoſe falſe colours, ſug-
" geſtions of imminent danger and neceſſity, whereby they
" did make it plauſible unto his majeſty. And on the other
" ſide, ſuch as did appear againſt them, are daily diſcoun-
" tenanced and diſgraced; which, whilſt it ſhall be ſo, we
" have no reaſon to judge the diſeaſe to be yet killed and
" dead at root, and therefore no reaſon to bury it in obli-
" vion. And whilſt we behold the ſpawns of [illegible]
" chievous principles cheriſhed and foſtered in [illegible]
" generation of counſellors, friends and abetters [illegible]
" mer,

1642. "mer, or at leaſt, concurring with them in their malig-
"nancy againſt the proceedings of this parliament, we
"cannot think ourſelves ſecure from the like or a worſe
"danger.

"And here the penner of this anſwer beſtows an admo-
"nition upon the parliament, bidding us take heed we fall
"not upon the ſame error, upon the ſame ſuggeſtions. But
"he might have well ſpared this, till he could have ſhewed
"wherein we had exerciſed any power, otherwiſe than by
"the rule of the law, or could have found a more authen-
"tick or higher judge in matters of law, than the high
"court of parliament.

"It is declared in his majeſty's name, that he is reſolved
"to keep the rule himſelf, and to his power to require the
"ſame of all others. We muſt needs acknowledge, that
"ſuch a reſolution is like to bring much happineſs and
"bleſſing to his majeſty, and all his kingdom; yet with
"humility we muſt confeſs, we have not the fruit of it,
"in that caſe of my lord Kimbolton, and the other five
"members, accuſed contrary to law, both common law and
"the ſtatute law, and yet remain unſatisfied; which caſe
"was remembred in our declaration, as a ſtrange and un-
"heard of violation of our laws. But the penner of this
"anſwer thought fit to paſs it over, hoping that many
"would read his majeſty's anſwer, (which hath been ſo
"carefully diſperſed) which would not read our declaration.

"Whereas after our ample thanks and acknowledge-
"ment of his majeſty's favour in paſſing many good bills,
"we ſaid, that truth and neceſſity inforced us to add this,
"that in or about the time of paſſing thoſe bills, ſome de-
"ſign or other hath been on foot, which, if it had taken
"effect, would not only have deprived us of the fruit of
"thoſe bills, but would have reduced us to a worſe condi-
"tion of confuſion, than that wherein the parliament found
"us. It is now told us, that the king muſt be moſt ſen-
"ſible of what we caſt upon him, for requital of thoſe
"good bills; whereas, out of our uſual tenderneſs of his
"majeſty's honour, we did not mention him at all: but
"ſo injurious are thoſe wicked counſellors to the name and
"honour of their maſter and ſovereign, that, as much as
"they can, they lay their own infamy and guilt upon his
"ſhoulders.

"Here God alſo is called to witneſs his majeſty's up-
"right intentions at the paſſing of thoſe laws; this we
"will not queſtion, neither did we give any occaſion for

"ſuch a ſolemn aſſeveration as this is. The devil is like- 1642.
"wiſe defied to proove, there was any deſign with his ma-
"jeſty's knowledge or privity. This might well have been
"ſpared, for we ſpoke nothing of his majeſty: but ſince we
"are ſo far taxed, as to have it affirmed, that we laid a
"notorious and falſe imputation upon his majeſty, we have
"thought it neceſſary, for the juſt defence of our own in-
"nocency, to cauſe the oaths and examinations which had
"been taken concerning the deſign, to be publiſhed in a
"full narration, for ſatisfaction of all his majeſty's ſubjects;
"out of which we ſhall now offer ſome few particulars,
"whereby the world may judge, whether we could have
"proceeded with more tenderneſs towards his majeſty than
"we have done. Mr. Goring confeſſeth, that the king
"firſt aſked him, whether he was engaged in any cabal
"concerning the army? and commanded him to join with
"Mr. Percy and Mr. Jermin, and ſome others, whom they
"ſhould find within at Mr. Percy's chamber; where they
"took the oath of ſecrecy, and then debated of a deſign
"propounded by Mr. Jermin, to ſecure the Tower, and to
"conſider of bringing up the army to London, and cap-
"tain Legg confeſſed, he had received the draught of a
"petition in the king's preſence; and his majeſty acknow-
"ledged it was from his own hand: and whoſoever reads
"the ſum of that petition, as it was proved by the teſti-
"mony of Sir Jacob Aſtly, Sir John Coniers, and captain
"Legg, will eaſily perceive ſome points in it, apt to beget
"in them ſome diſcontent againſt the parliament. And
"can any man believe, there was no deſign in the accuſa-
"tion of the lord Kimbolton, and the reſt, in which his
"majeſty doth avow himſelf to be both a commander and
"an actor? theſe things being ſo, it will eaſily appear to
"be as much againſt the rule of prudence, that the penner
"of this anſwer ſhould entangle his majeſty in this un-
"neceſſary apology; as it is againſt the rules of juſtice,
"that any reparation from us ſhould be either yielded or
"demanded.

"It is profeſſed in his majeſty's name, that he is truly
"ſenſible of the burdens of his people, which makes us
"hope, that he will take that courſe which will be moſt
"effectual to eaſe them of theſe burdens; that is, to join
"with his parliament in preſerving the peace of the king-
"dom; which by his abſence from them hath been much
"endangered, and which, by hindering the voluntary ad-
"ventures for the recovery of *Ireland*, and diſabling the
"ſubjects

1642. "ſubjects to diſcharge the great tax laid upon them, is like "to make the war much more heavy to the kingdom. And "for his majeſty's wants, the parliament hath been no cauſe "of them; we have not diminiſhed his juſt revenue, but "have much eaſed his publick charge, and ſomewhat his "private. And we ſhall be ready, in a parliamentary way, "to ſettle his revenue, in ſuch an honourable proportion, "as may be anſwerable to both, when he ſhall put himſelf "into ſuch a poſture of government, that his ſubjects may "be ſecure to enjoy his juſt protection for their religion, "laws, and liberties.

"We never refuſed his majeſty's gracious offer of a free "and general pardon, only we ſaid it could be no ſecurity "to our preſent fears and jealouſies: And we gave a rea- "ſon for it, that thoſe fears did not ariſe out of any guilt of "our own actions, but out of the evil deſigns and attempts "of others; and we leave it to the world to judge, whether "we herein have deſerved ſo heavy a tax and exclamation, "(*That it was a ſtrange world, when princes proffered favours "are counted reproaches*; ſuch are the words of his majeſty's "anſwer) who do eſteem that offer as an act of princely "grace and bounty, which, ſince this parliament began, "we have humbly deſired we might obtain, and do ſtill "hold it neceſſary and advantageous for the generality of "the ſubjects, upon whom theſe taxes and ſubſidies lie "heavieſt; but we ſee, upon every occaſion, how unhappy "we are in his majeſty's miſapprehenſions of our words and "actions.

"We are fully of the king's mind, as it is here declared, "that he may reſt ſo ſecure of the affections of his ſub- "jects, that he ſhould not ſtand in need of foreign force to "preſerve him from oppreſſion, and are confident, that he "ſhall never want an abundant evidence of the good wiſhes "and aſſiſtance of his whole kingdom, eſpecially if he ſhall "be pleaſed to hold to that gracious reſolution, of building "upon that ſure foundation, the law of the land: but "why his majeſty ſhould take it ill, that we having re- "ceived information ſo deeply concerning the ſafety of the "kingdom, ſhould think them fit to be conſidered of, we "cannot conceive; for although the name of the perſon "was unknown, yet that which was more ſubſtantial to "the probability of the report was known (that is) that "he was ſervant to the lord Digby, who in his preſump- "tuous letter to the queen's majeſty, and other letters to "Sir Lewis Dives, had intimated ſome wicked propoſition,

"ſuitable

" ſuitable to that information; but that this ſhould require 1642.
" reparation, we hold it as far from juſtice as it is from
" truth, that we have mixed any malice with theſe rumours,
" thereby to feed the fears and jealouſies of the people.

" It is affirmed, his majeſty is driven (but not by us yet)
" from us; perchance hereafter, if there be opportunity
" of gaining more credit, there will not be wanting who
" will ſuggeſt unto his majeſty, that it is done by us. And
" if his majeſty were driven from us, we hope it was not
" by his own fears, but by the fears of the lord Digby,
" and his retinue of Cavaliers (5); and that no fears of
" any tumultuary violence but of their juſt puniſhment for
" their manifold inſolence, and intended violence againſt
" the parliament.

REM. (5.) By the lord Digby's cavaliers were meant the officers and gentlemen who aſſembled at Whitehall, to guard the king, in the head of whom was the lord Digby. I do not believe, that when this declaration was publiſhed, the term Cavaliers was commonly uſed to denote the royal party. Perhaps this word, uſed here by the parliament, was the occaſion of calling the king's party Cavaliers, as the parliament's adherents were named Round-heads. Theſe two names were afterwards changed into Tories and Whiggs.

" And this is expreſſed by the lord Digby himſelf, when
" he told thoſe cavaliers, that the principal cauſe of his ma-
" jeſty's going out of town, was to ſave them from being
" trampled in the dirt; but of his majeſty's perſon there
" was no cauſe of fear in the greateſt heat of his people's
" indignation, after the accuſation, and his majeſty's vio-
" lent coming to the houſe; there was no ſhew of any evil
" intention againſt his regal perſon, of which there can be
" no better evidence than this, that he came the next day
" without a guard into the city, where he heard nothing
" but prayers and petitions, no threatnings nor irreverent
" ſpeeches, that might give him any juſt occaſion of fear,
" that we have heard of, or that his majeſty expreſt; for
" he ſtaid near a week after at Whitehall, in a ſecure and
" peaceable condition, whereby we are induced to believe,
" that there is no difficulty or doubt at all, but his majeſty's
" reſidence near London, may be as ſafe as in any part of
" the kingdom. We are moſt aſſured of the faithfulneſs
" of the city and ſuburbs; and for ourſelves, we ſhall
" quicken the vigour of the laws, the induſtry of the ma-
" giſtrates, the authority of the parliament, for the ſup-
" preſſing of all tumultuary inſolences whatſoever, and for
" the

1642. " the vindicating of his honour from all inſupportable and
" inſolent ſcandals, if any ſuch ſhall be found to be raiſed
" upon him, as are mentioned in this anſwer; and therefore
" we think it altogether unneceſſary, and exceeding incon-
" venient, to adjourn the parliament to any other place.

" Where the deſire of a good underſtanding betwixt the
" king and the parliament, is on both parts ſo earneſt, as
" is here profeſſed by his majeſty, to be in him, and we
" have ſufficiently teſtified to be in ourſelves, it ſeems
" ſtrange we ſhould be ſo long aſunder, it can be nothing
" elſe but evil and malicious counſel, miſrepreſenting our
" carriage to him, and indiſpoſing his favour to us: and
" as it ſhall be far from us, to take any advantage of his
" majeſty's ſuppoſed ſtraits, as to deſire, much leſs to com-
" pel, him to that which his honour or intereſt may render
" unpleaſant and grievous to him; ſo we hope, that his
" majeſty will not make his own underſtanding or reaſon
" the rule of his government, but will ſuffer himſelf to be
" aſſiſted with a wiſe and prudent council, that may deal
" faithfully betwixt him and his people; and that he will
" remember, that his reſolutions do concern kingdoms, and
" therefore ought not to be moulded by his own, much leſs
" by any other private perſon, which is not alike propor-
" tionable to ſo great a truſt. And therefore we ſtill deſire
" and hope, that his majeſty will not be guided by his own
" underſtanding, or think thoſe courſes, ſtraits, and neceſ-
" ſities, to which he ſhall be adviſed by the wiſdom of both
" houſes of parliament, which are the eyes in this politick
" body, whereby his majeſty is, by the conſtitution of this
" kingdom, to diſcern the differences of thoſe things which
" concern the public peace and ſafety thereof.

" We have given his majeſty no cauſe to ſay, that we
" do meanly value the diſcharge of his public duty. What-
" ſoever acts of grace or juſtice have been done, they pro-
" ceed from his majeſty by the advice and counſel of his
" parliament; yet we have, and ſhall always anſwer them
" with conſtant gratitude, obedience, and affection: And
" although many things have been done ſince this parlia-
" ment, of another nature, yet we ſhall not ceaſe to deſire
" the continued protection of almighty God upon his ma-
" jeſty; and moſt humbly petition him, to caſt from him
" all thoſe evil and contrary counſels, which have, in many
" particulars formerly mentioned, much detracted from the
" honour of his government, the happineſs of his own
" eſtate, and proſperity of his people.

" And

"And having paſſed ſo many dangers from abroad, ſo 1642.
"many conſpiracies at home, and brought on the public
"work ſo far, through the greateſt difficulties that ever
"ſtood in oppoſition to a parliament; to ſuch a degree of
"ſucceſs, that nothing ſeems to be left in our way, able
"to hinder the full accompliſhment of our deſires and en-
"deavours of the public good; unleſs God in his juſtice
"do ſend ſuch a grievous curſe upon us, as to turn the
"ſtrength of the kingdom againſt itſelf, and to effect that
"by their own folly and credulity, which the power and
"ſubtilty of their and our enemies could not attain, that is,
"to divide the people from the parliament, and to make
"them ſerviceable to the ends and aims of thoſe who would
"deſtroy them. Therefore we deſire the kingdom to take
"notice of this laſt and moſt deſperate and miſchievous
"plot of the malignant party, that is acted and proſecuted
"in many parts of the kingdom, under plauſible notions of
"ſtirring them up to a care of preſerving the king's pre-
"rogative, maintaining the diſcipline of the church, up-
"holding and continuing the reverence and ſolemnity of
"God's ſervice, and encouraging of learning. And upon
"theſe grounds, divers mutinous petitions have been framed
"in London, Kent, and other counties, and ſundry of his
"majeſty's ſubjects have been ſolicited to declare them-
"ſelves for the king againſt the parliament: and many falſe
"and foul aſperſions have been caſt upon our proceedings,
"as if we had been not only negligent, but averſe in theſe
"points: whereas we deſire nothing more, than to main-
"tain the purity and power of religion, and to honour the
"king in all his juſt prerogatives; and for encouragement
"and advancement of piety and learning, we have very
"earneſtly endeavoured, and ſtill do, to the utmoſt of our
"power, that all pariſhes may have learned, pious, and
"ſufficient preachers, and all ſuch preachers competent
"livings. (6.)

REM. (6.) The king complained, that the church of England was going to be deſtroyed to make way for preſbytery. The parliament dares not ſay the contrary, for fear of diſcouraging the preſbyterians, not own it, becauſe it was not yet time to diſcover themſelves ſo openly. They endeavour therefore to get off, by general terms, which ſignify nothing, that is, they have reſolved to place in every pariſh pious miniſters, and provide for their ſubſiſtence.

"Many other bills and propoſitions are in preparation
"for the king's profit and honour, the people's ſafety and
"proſperity.

C 2 "And

1642. "prosperity: in the proceedings whereof we are much "hindered by his majesty's absence from the parliament, "which is altogether contrary to the use of his predecessors, "and the privileges of parliament, whereby our time is "consumed by a multitude of unnecessary messages, and "our innocency wounded by causeless and sharp invectives. "Yet we doubt not, but we shall overcome all this at last, "if the people suffer not themselves to be deluded with "false and specious shews, and so drawn to betray us to "their own undoing, who have ever been willing to hazard "the undoing of ourselves, that they might not be betray-"ed by our neglect of the trust reposed in us: but if it "were possible they should prevail herein, yet we would "not fail, through God's grace, still to persist in our du-"ties, and to look beyond our own lives, estates, and ad-"vantages, as those who think nothing worth the enjoy-"ing, without the liberty, peace, and safety of the king-"dom; nor any thing too good to be hazarded in discharge "of our consciences, for the obtaining of it: and shall al-"ways repose ourselves upon the protection of almighty "God, which we are confident shall never be wanting to "us, (while we seek his glory) as we have found it hitherto "wonderfully going along with us in all our proceedings."

The king quickly answered this manifesto. He had strong reasons to prevent betimes the impressions it might make upon the minds of the people. As a war was unavoidable, the king and the parliament were equally concerned to gain the people, and for that these papers were intended. We have seen in the parliament's manifesto, the objections against the king reiterated, and we shall see in the king's, the same answers he had before given to each of the articles. These two papers therefore may be considered as a recapitulation of whatever had been alledged *pro* and *con*, in the dispute between the king and the parliament. Both flattered themselves, that their reasons were unanswerable, and proposed them with great confidence. Nor was this intirely without foundation, for both those, reasoning upon different principles, might be in the right, according to their respective suppositions.

His majesty's answer to a book, intitled, The declaration or remonstrance of the lords and commons of the 19th of May, 1642.

Rushworth, IV. p. 704. Clarendon, T. I. p. 463. "IF we could be weary of taking any pains for the satis-"faction of our people, and to undeceive them of those "specious mischievous infusions which are daily instilled

"into

"into them, to ſhake and corrupt their loyalty and affection 1642.
"to us and our government; after ſo full and ample decla-
"ration of ourſelf and intentions, and ſo fair and ſatisfactory
"anſwers to all ſuch matters as have been objected to us by
"a major part preſent of both houſes of parliament, we
"might well give over this labour of our pen, and ſit ſtill
"till it ſhall pleaſe God ſo to enlighten the affections and
"underſtandings of our good ſubjects on our behalf, (which
"we doubt not but that in his good time he will do) that
"they may ſee our ſufferings are their ſufferings. But
"ſince, inſtead of applying themſelves to the method pro-
"poſed by us, of making ſuch ſolid particular propoſitions
"as might eſtabliſh a good underſtanding between us, or
"of following the advice of our council of Scotland (with
"whom they communicate their affairs) in forbearing all
"means that may make the breach wider and wound deeper;
"they have choſen to purſue us with new reproaches, or
"rather to continue and improve the old, by adding and
"varying little circumſtances and language, in matters for-
"merly urged by them, and fully anſwered by us. We
"prevailed with ourſelf, upon very mature and particular
"conſideration of it, to anſwer the late printed book, in-
"titled, *A declaration or remonſtrance of the lords and commons*,
"which was ordered the 19th of May laſt to be printed
"and publiſhed, hoping then, that they would put us to
"no more of this trouble; but that that ſhould have been
"the laſt of ſuch a nature they would have communicated
"to our people, and that they would not, as they have
"done ſince, thought fit to aſſault us with a newer decla-
"ration, indeed of a very new nature and learning, which
"muſt have another anſwer. (1.)

REMARK (1.) This was another declaration of the ſecond of June, whence it may be inferred, that this anſwer of the king to the firſt was not publiſhed till after that time.

"And we doubt not, but that our good ſubjects in ſhort
"time will be ſo well inſtructed in the differences and mi-
"ſtakings between us, that they will plainly diſcern, with-
"out reſigning their reaſon and underſtanding to our prero-
"gative, or the infallibility of a now major part of both
"houſes of parliament (infected by a few malignant ſpirits)
"where the fault is. (2.)

REM. (2.) The king begins in this paper to repreſent the reſolutions of the parliament, not as being agreeable to the

1642. the ſentiments of the nation, but as coming only from a diſaffected party which prevailed in both houſes.

" Though we ſhall, with humility and alacrity, be al-
" ways forward to acknowledge the infinite mercy and pro-
" vidence of almighty God, vouchſafed ſo many ſeveral
" ways to ourſelf and this nation, yet ſince God himſelf
" doth not allow that we ſhould ſanſy and create dangers
" to ourſelf, that we might manifeſt and publiſh his mercy
" in our deliverance, we muſt profeſs we do not know thoſe
" deliverances mentioned in the beginning of that declara-
" tion, from ſo many wicked plots and deſigns ſince the
" beginning of this parliament, which if they had taken
" effect, would have brought ruin and deſtruction upon this
" kingdom. We well know, the great labour and ſkill
" hath been uſed to amaze and affright our good ſubjects
" with fears and apprehenſions of plots and conſpiracies,
" the ſeveral pamphlets publiſhed, and letters ſcattered up
" and down, full of ſuch ridiculous contemptible animad-
" verſions to that purpoſe, as (though they found, for what
" end God knows, very unuſual countenance) no ſober
" man would be moved with them. But we muſt confeſs,
" we have never been able to inform ourſelf of any ſuch
" pernicious formed deſign againſt the peace of this king-
" dom, ſince the beginning of this parliament, as is men-
" tioned in that declaration, or might be any warrant to
" thoſe great fears, both our houſes of parliament ſeem to
" be tranſported with; but we have great cauſe to believe,
" more miſchief and danger hath been raiſed and begotten
" to the diſturbance of this kingdom, than cured or pre-
" vented by thoſe fears and jealouſies. And therefore,
" however the rumour and diſcourſe of plots and conſpira-
" cies may have been neceſſary to the deſigns of particular
" men, they ſhall do well not to pay any falſe devotions to
" almighty God, who diſcerns whether our dangers are
" real or pretended.

" For the bringing up of the army to London, as we
" have heretofore (by no other direction than the teſtimony
" of a good conſcience) called God to witneſs, we never
" had, or knew any ſuch reſolution; ſo upon the view of
" the depoſitions now publiſhed with that declaration, it is
" not evident to us, there was ever ſuch a deſign, unleſs
" very looſe diſcourſe or argument be inſtance enough of a
" deſign. (3.)

REM. (3.) The king ſeems to vindicate himſelf very weakly upon this article. His whole anſwer lies in the ambiguity

ambiguity of the word deſign, which may ſignify, either a bare project, or a ſettled and formed deſign. It is certain, there was a deſign or project to bring up the army to London, which the king knew of and was propoſed by Jermyn; but no reſolution was taken thereon. The king denies, he knew of any ſuch reſolution, becauſe indeed there was none. But he dares not deny, he was informed of the deſign or project to march the army to London. Wherefore, after having ſpoken of the deſign in general, he immediately changes the word into that of reſolution. Charles I. was very ſkilful in ſuch ſort of ambiguities. 1642.

"And it is apparent, that what was ſaid of it, was near "three months before the diſcovery to both houſes of par- "liament: ſo that if there were any danger threatned that "way, it vaniſhed without any reſiſtance or prevention, by "the wiſdom, power, or authority of them. (4.)

REM. (4.) The parliament inſiſted chiefly upon the king's intention, and endeavoured to prove the fact, in order to ſhew the intention. So it was not a proof of the king's having no ill intention, that the deſign of ſeducing the army, and bringing it up to London, was not purſued.

"It ſeems the intention of that declaration (whatſoever "other end it hath) is to anſwer a declaration they received "from us, in anſwer to that which was preſented to us at "New-market the 9th of March laſt; and likewiſe to our "anſwer to the petition of both houſes, preſented to us at "York the 26th of March laſt. But before that declara- "tion falls upon any particulars of our ſaid declaration or "anſwer, it complains, that the heads of the malignant "party have, with much art and induſtry, adviſed us to "ſuffer divers unjuſt ſcandals and imputations upon the "parliament, to be publiſhed, in our name, whereby they "might make it odious to the people, and by their help "deſtroy it; but not inſtancing in any one ſcandal or im- "putation ſo publiſhed by us, we are ſtill to ſeek for the "heads of that malignant party. But our good ſubjects "will eaſily underſtand, that if we were guilty of that aſ- "perſion, we muſt not only be active in raiſing the ſcandal, "but paſſive in the miſchief begotten by that ſcandal, we "being an eſſential part of the parliament. (5.)

REM. (5.) This is only a ſubtlety grounded upon the ambiguity of the word parliament. In the declaration which the king is anſwering, by the term *parliament*, is meant both houſes, excluſive of the king, and here the king means both houſes and the king together.

1642. "And we hope the juſt defence of ourſelf and our autho-
"rity, and the neceſſary vindication of our innocence and
"juſtice, from the imputation laid on us by a major part
"then preſent, by either or both houſes, ſhall no more be
"called a ſcandal upon the parliament, than the opinion of
"ſuch a part be reputed an act of parliament. And we
"hope our good ſubjects will not be long miſled by that
"common expreſſion, in all the declarations, wherein they
"uſurp the word parliament, and apply it to countenance
"any reſolution or vote ſome few have a mind to make, by
"calling it, the reſolution of parliament, which can never
"be without our conſent; neither can the vote of either,
"or both houſes, make a greater alteration in the laws of
"this kingdom (ſo ſolemnly made by the advice of their
"predeceſſors, with the concurrence of us and our anceſtors)
"either by commanding or inhibiting any thing (beſides
"the known rules of the law) than our ſingle direction or
"mandate can do, to which we do not aſcribe the autho-
"rity (6.)

REM. (6.) This reaſon is invincible, ſuppoſing the government in its natural ſtate. But it could not make any impreſſion upon thoſe who believed the king intended to eſtabliſh an arbitrary power.

"But that declaration informs our people, that the ma-
"lignant party hath drawn us into the northern parts far
"from our parliament: it might more truly and properly
"have ſaid, that it hath driven, than drawn us hither. (7.)

REM. (7.) The parliament underſtood by the malignant party the king's party, and here the king gives the ſame name to that of the parliament.

"For we confeſs our journey hither (for which we have
"no other reaſon to be ſorry, than with reference to the
"cauſe of it) was only forced upon us by the true malig-
"nant party, which contrived and countenanced thoſe bar-
"barous tumults, and other ſeditious circumſtances, of
"which we have ſo often complained, and hereafter ſhall
"ſay more, and which indeed threatens ſo much danger to
"our perſon, and laid ſo much ſcandal upon the whole
"privilege and dignity of parliament, that we wonder it
"can be mentioned without bluſhes or indignation: but of
"that anon. But why the malignant party ſhould be
"charged with cauſing a preſs to be tranſported to York,
"we cannot imagine; neither have any papers or writings
"iſſued from thence to our knowledge, but what have
"been extorted from us by ſuch provocations, as have not

"been

" been before offered to a king. And no doubt it will ap- 1642.
" pear a moſt trivial and fond exception, when all preſſes
" are open to vent whatſoever they think fit to ſay to the
" people, (a thing unwarranted by former cuſtom) that
" we ſhould not make uſe of all lawful means to publiſh
" our juſt and neceſſary anſwers thereunto. As for the au-
" thority of the great-ſeal, (though we do not know that
" it hath been neceſſary to things of this nature) the ſame
" ſhall be more frequently uſed hereafter, as occaſion ſhall
" require (8.); to which we make no doubt the greater
" and better part of our privy-council will concur, and
" whoſe advice we are reſolved to follow, as far as it ſhall
" be agreeable to the good and welfare of the kingdom."

REM. (8.) The parliament's declaration was publiſhed the 19th of May, and three days after the lord-keeper Littleton went privately from London with the great-ſeal to the king. So the king had it in his hands when he publiſhed his anſwer. For this reaſon, he ſays, the ſame ſhall be more frequently uſed hereafter.

" Before that declaration vouchſafes to inſiſt on any par-
" ticulars, it is pleaſed to cenſure both our declaration and
" anſwer, to be filled with harſh cenſures, and cauſeleſs
" charges upon the parliament (ſtill miſapplying the word
" parliament to the vote of both houſes) concerning which
" they reſolve to give ſatisfaction to the kingdom, ſince
" they find it very difficult to ſatisfy us. If, as in the uſage
" of the word parliament, they have left us out of their
" thoughts; ſo by the word kingdom, they intend to ex-
" clude all our people, who are out of their walls, (for
" that's grown another phraſe of the time, the vote of the
" major part of both houſes, and ſometimes of one, is now
" called, *The reſolution of the whole kingdom*) we believe it
" may not be hard to give ſatisfaction to themſelves; other-
" wiſe we are confident (and our confidence proceeds from
" the uprightneſs of our own conſcience) they will never
" be able ſo to ſever the affections of us and our kingdom,
" that what cannot be ſatisfaction to the one, ſhall be to
" the other. Neither will the ſtile of *humble and faithful*,
" and telling us, *That they will make us a great and glorious*
" *king*, in their petitions and remonſtrances, ſo deceive our
" good ſubjects, that they will paſs over the reproaches,
" threats, and menaces they are ſtuffed with, which ſure
" could not be more gently reprehended by us, than by
" ſaying, their expreſſions were different from the uſual
" language to princes, which that declaration tells you we
" had

1642. " had no occaſion to ſay. But we believe, whoſoever looks
" over that declaration preſented to us at New-market, to
" which ours was an anſwer, will find the language through-
" out ſo to be ſo unuſual, that, before this parliament, it
" could never be parallelled; whilſt under pretence of ju-
" ſtifying their fears, they give ſo much countenance to the
" diſcourſe of the rebels of Ireland, as if they had a mind
" our good ſubjects ſhould give credit to it: otherwiſe, be-
" ing warranted by the ſame evidence, which they have
" ſince publiſhed, they would have as well declared, That
" thoſe rebels publickly threaten the rooting out the name
" of the Engliſh, and that they will have a King of their
" own, and no longer be governed by us; as that they
" ſay, that they do nothing but by our authority, and that
" they call themſelves *the queen's army*. And therefore we
" have great reaſon to complain of the abſence of juſtice
" and integrity in that declaration, beſides the unfitneſs of
" other expreſſions. Neither did we miſtake the ſubſtance
" or logic of the meſſage to us at Theobalds concerning
" the militia, which was no other, and is ſtated to be no
" other, (even by that declaration which reproved us) than
" a plain threat, *That if we refuſed to join with them, they*
" *would make a law without us.* Nor hath the practice ſince
" that time been other, which will never be juſtified to the
" moſt ordinary (if not partial) underſtandings, by the
" mere averring it to be according to the fundamental laws
" of this kingdom, without giving any direction, that the
" moſt cunning and learned men in the laws may be able
" to find thoſe foundations. (9.)

REM. (9.) There is here an ambiguity in the term Fundamental law. The parliament had clearly expreſſed what they meant by this fundamental law, viz. if the king failed in the diſcharge of his duty, the nation ought not, however, to be without defence, and in that caſe, it belonged to the parliament to take care of it. Inſtead therefore of aſking where this law was, it ſeems, that the king ſhould have ſhewn, either that, tho' he neglected his duty, it belonged not to the parliament to meddle with the government of the ſtate, or that he never had neglected, nor did ſtill neglect it. For, according to the parliament, though this law was not expreſſed in any particular ſtatute, it naturally flowed from the conſtitution of the government. The king ſeems, by requiring this law to be produced, to inſinuate, that the parliament, in no caſe whatever, could intermeddle with the government of the ſtate, unleſs authoriſed by an

expreſs law; and yet the parliament had alledged two caſes, 1642.
namely, the captivity and nonage of a king, wherein they might have the management of the government, and they reckoned the king's negligence in the ſame claſs. To this the king ſhould have returned an anſwer.

"And we muſt appeal to all the world, whether they "might not, with as much juſtice, and by as much law, "have ſeized upon the eſtate of every member of both "houſes, who diſſented from that pretended ordinance, "(which much the major part of the houſe of Peers did "two or three ſeveral times) as they have invaded that "power of ours over the militia, becauſe we (upon reaſons "they have not ſo much as pretended to anſwer) refuſe to "conſent to that propoſition. (10.)

REM. (10.) The authority aſſumed by the parliament, was not an ordinary authority, nor pretended to be ſo. It was extraordinary for the preſent ſuppoſed caſe, that there was great danger from the king. As therefore they had not the ſame ſuſpicions of thoſe who had at firſt refuſed their conſent to the ordinance, they could not ſeize their eſtates, upon the ſame foundation. Thus the conſequence drawn by the king from the parliament's uſurpation, does not ſeem juſt.

"And if no better effects, than loſs of time, and hin-"drance of the public affairs, have been found by our an-"ſwers and replies, let all good men judge, by whoſe de-"fault, and whoſe want of duty, ſuch effects have been: "for as our end (indeed only end) in thoſe anſwers and "replies, hath been the ſettlement and compoſure of pub-"lic affairs, ſo we are aſſured, and moſt men do believe, "That if that due regard and reverence had been given "to our words, and that conſent and obedience to our "counſels, which we did expect, there had been before "this time a chearful calm upon the face of the whole "kingdom, every man enjoying his own, with all poſſible "peace and ſecurity that can be imagined; which ſurely "thoſe men do not deſire, who (after all thoſe acts of "juſtice and favour paſſed by us this parliament, all thoſe "affronts and ſufferings endured and undergone by us) "think fit ſtill to reproach us with ſhip-money, coat and "conduct-money, and other things ſo abundantly declared "(as that declaration itſelf confeſſes) in the general remon-"ſtrance of the ſtate of the kingdom, publiſhed in Novem-"ber laſt, which we wonder to find now avowed to be the "remonſtrance of both houſes, and which we are ſure,

"was

1642. " was preſented to us only by the houſe of commons; and " did never, and we are confident, in that time could never " have paſſed the houſe of Peers; the concurrence and " authority of which was not then thought neceſſary. Shall " we believe thoſe reproaches to be the voice of the king- " dom of England? That all our loving ſubjects, eaſed, " refreſhed, ſtrengthned, and abundantly ſatisfied with our " acts of grace and favour towards them, are willing to be " involved in theſe unthankful expreſſions? We muſt ap- " peal to the thanks and acknowledgments publiſhed in the " petitions of moſt of the counties of England, to the " teſtimony and thanks we have received from both houſes " of parliament, how ſeaſonable, how agreeable this uſage " of us is to our merit, or their former expreſſions.

" We have not in the leaſt ſwerved or departed from " our reſolution, or words, in the beginning of this par- " liament. We ſaid, we were reſolved to put ourſelf " freely and clearly upon the love and affection of our " Engliſh ſubjects; and we ſay ſo ſtill, as far as concerns " England. And we call almighty God to witneſs all our " complaints and jealouſies, which have never been cauſe- " leſs, not out of our houſes of parliament, (but of ſome " few ſchiſmatical, factious, and ambitious ſpirits; and up- " on ſuch grounds, as ſhort time, we fear, will juſtify to " the world) our denial of the militia, our abſenting our- " ſelf from London, have been the effects of an upright " and faithful affection to our Engliſh ſubjects, that we " may be able (through all the inconveniences we are com- " pelled to wreſtle with) at laſt, to preſerve and reſtore " their religion, laws, and liberties unto them.

" Since the proceedings againſt the lord Kimbolton, and " the five members, is ſtill looked upon, and ſo often " preſſed as ſo great an advantage againſt us, that no re- " tractation made by us, nor no actions ſince that time " committed againſt us, and the law of the land, under " the pretence of vindication of privilege, can ſatisfy the " contrivers of that declaration, but that they would have " our good ſubjects believe, the accuſation of thoſe ſix " members muſt be a plot, for the breaking the neck of " the parliament, (a ſtrange arrogance, if any of thoſe " members had the penning of that declaration) and that " it is ſo often urged againſt us, as if, by that ſingle caſual " miſtake of ours, (in form only) we had forfeited all duty, " credit and allegiance from our people; we muſt, with- " out endeavouring to excuſe that, which in truth was an

" error,

" error, (our going to the houſe of commons) give our peo- 1642.
" ple a clear and full narration of the matter of fact, aſſuring
" ourſelf, that our good ſubjects will not find our carriage
" in that buſineſs ſuch as hath been reported.

" When we reſolved, upon ſuch grounds, as, when they
" ſhall be publiſhed, will ſatisfy the world, that it was fit
" for our own ſafety and honour, and the peace of the king-
" dom, to proceed againſt thoſe perſons (11.); tho' we
" well know there was no degree of privilege in that caſe,
" yet (to ſhew our deſire of correſpondency with the two
" houſes of parliament) we choſe, rather than to apprehend
" their perſons by the ordinary miniſters of juſtice, (which,
" according to the opinion and practice of former times,
" we might have done) to command our attorney-general
" to acquaint our houſe of peers with our intention, and
" the general matter of our charge, (with was yet more par-
" ticular than a mere accuſation) and to proceed accord-
" ingly; and at the ſame time ſent a ſworn ſervant, a ſer-
" jeant at arms to our houſe of commons, to acquaint them,
" That we did accuſe, and intended to proſecute the five
" members of that houſe for high-treaſon, and did require
" that their perſons might be ſecured in cuſtody.

REM. (11.) I have already ſaid, that the parliament was chiefly offended, that the articles of the accuſation exhibited by the attorney-general, were levelled at the whole houſe of commons, and a great number of lords, as much as at the perſons accuſed. Here, the king maintains the matter of the accuſation, ſince it was for the peace of the kingdom, and paſſes over in ſilence the reaſons which he reſerved for another time, and thereby his vindication cannot be full and perfect.

" This we did, not only to ſhew that we intended not
" to violate or invade their privileges, but to uſe more ce-
" remony towards them, than we then conceived in juſtice
" might be required of us; and expected at leaſt ſuch an
" anſwer as might inform us, if we were out of the way;
" but we received none at all; only in the inſtant, without
" offering any thing of their privileges to our conſideration,
" an order was made, (and the ſame night publiſhed in
" print) That if any perſon whatſoever ſhould offer to ar-
" reſt the perſon of any member of that houſe, without firſt
" acquainting that houſe therewith, and receiving further
" orders from that houſe, that it ſhould be lawful for ſuch
" members, or any perſon, to aſſiſt them, and to ſtand upon
" his, or their guard of defence, and to make reſiſtance ac-

" cording

1642. "cording to the proteſtation taken to defend the privileges "of parliament. And this was the firſt time that we heard "the proteſtation might be wreſted to ſuch a ſenſe; or that "in any caſe, (though of the moſt undoubted and unqueſti- "onable privilege) it might be lawful for any perſon to re- "ſiſt, and uſe violence againſt a publick miniſter of juſtice, "armed with lawful authority, though we well knew, "that even ſuch a miniſter might be puniſhed for execut- "ing ſuch authority.

"Upon viewing this order, we muſt confeſs we were "ſomewhat amazed, having never ſeen or heard of the "like, though we had known members of either houſe "committed, without ſo much formality as we had uſed, "and upon crimes of a far inferior nature to thoſe we had "ſuggeſted; and having no courſe propoſed to us for our "proceeding, we were upon the matter only told, "that "againſt thoſe perſons we were not to proceed at all: "That they were above our reach, or the reach of the "law. It was not then eaſy for us to reſolve what to "do. (12.)

REM. (12.) This is a little diſguiſed. The king was not told, that theſe members were above the reach of the law: but only, that the parliament ſitting, the members could not be impriſoned without the conſent of their houſe, and that it was expected the grounds of the accuſation ſhould be made known, in order to this conſent.

"If we employed our miniſters of juſtice in the uſual "way for their apprehenſion, (who, without doubt, would "not have refuſed to execute our lawful commands) we "ſaw what reſiſtance and oppoſition was like to be made, "which very probably might coſt ſome blood. If we ſate "ſtill, and deſiſted upon this terror, we ſhould at the beſt "have confeſſed our own want of power, and the weak- "neſs of the law. In this ſtrait we put on a ſudden reſo- "lution to try, whether our own preſence, and a clear diſ- "covery of our intentions (which haply might not have "been ſo well underſtood) could remove thoſe doubts, and "prevent thoſe inconveniences, which ſeemed to have been "threatned; and thereupon we reſolved to go in our own "perſon to our houſe of commons, which we diſcovered "not till the very minute of our going; when we ſent out, "That our ſervants, and ſuch gentlemen as were then in "our court, ſhould attend us to Weſtminſter: but giving "them expreſs command (as we have expreſſed in our "anſwer to the ordinance) that no accidents of provocation

"ſhould

" ſhould draw them to any ſuch action as might imply a 1642.
" purpoſe of force in us: and ourſelf (requiring thoſe of
" our train not to come within the door) went into the houſe
" of commons; the bare doing of which, we did not then
" conceive would have been thought more a breach of pri-
" vilege, than if we had gone to the houſe of peers, and
" ſent for them to come us, which is the uſual cuſtom.
" We uſed the beſt expreſſions we could, to aſſure them,
" how far we were from any intention of violating their
" privileges; that we intended to proceed legally and ſpeed-
" ily againſt the perſons we had accuſed, and deſired there-
" fore, if they were in the houſe, that they might be deli-
" vered to us; or, if abſent, that ſuch courſe might be
" taken for their forth-coming, as might ſatisfy our juſt de-
" mands; and ſo we departed, having no other purpoſe of
" force, if they had been in the houſe, than we have before
" proteſted before God, in our anſwer to the ordinance.
" You have an account of our part of this ſtory fully, let
" our people judge freely of it. What followed on their
" part, (tho' this declaration tells you, *it could not withdraw*
" *any part of their reverence and obedience from us*; it may
" be any part of theirs it did not), we ſhall have too much
" cauſe hereafter to inform the world.

" There will be no end of the diſcourſe, and upbraid-
" ing us with evil counſellors, if, upon our conſtant denial
" of knowing any, they will not vouchſafe to inform us of
" them; and after eight months amuſing the kingdom with
" the expectation of a diſcovery of a malignant party, and
" of evil counſellors, they will not at laſt name any, nor
" deſcribe them. Let the actions and lives of men be ex-
" amined, who have contrived, counſelled, actually con-
" ſented to grieve and burden our people: and if ſuch be
" about us, or any againſt whom any notorious malicious
" crime can be proved; if we ſhelter and protect any ſuch,
" let our injuſtice be publiſhed to the world: but till that
" be done, particularly and manifeſtly, (for we ſhall never
" conclude any man, upon a bare general vote of the major
" part of either, or both houſes, till it be evident, that ma-
" jor part be without paſſion or affection) we muſt look
" upon the charge this declaration puts on us, of cheriſhing
" and countenancing a diſcontented party of the kingdom
" againſt them, as a heavier and unjuſter tax upon our ju-
" ſtice and honour, than any we have, or can lay upon the
" framers of that declaration. (13).

REM.

1642. REM. (13.) With ſuch reſtrictions one may eternally diſpute: for who ſhould be judge, whether the major part of the houſe were without paſſion or prejudice?

"And now to countenance thoſe unhandſome expreſ-
"ſions, whereby uſually they have implied our connivance
"at, or want of zeal againſt the rebellion of Ireland, (ſo
"odious to all good men) they have found a new way of
"exprobration; *That the proclamation againſt thoſe bloody trai-*
"*tors came not out till the beginning of January, tho' that re-*
"*bellion broke out in October; and then by ſpecial command*
"*from us, but forty copies were appointed to be printed.* It is
"well known where we were at that time, when that re-
"bellion brake forth, in Scotland; that we immediately
"from thence recommended the care of that buſineſs to
"both houſes of parliament here, after we had provided for
"all fitting ſupplies from our own kingdom of Scotland:
"that after our return hither, we obſerved all thoſe forms
"for that ſervice, which we were adviſed to by our council
"of Ireland, or both houſes of parliament here; and if no
"proclamations iſſued out ſooner, (of which for the preſent
"we are not certain, but think that others before that time
"were iſſued by our direction) it was, becauſe the lords ju-
"ſtices of the kingdom deſired them no ſooner, and when
"they did, the number they deſired was but twenty, which
"they adviſed might be ſigned by us; which we for expe-
"dition of the ſervice, commanded to be printed, (a circum-
"ſtance not required by them) thereupon we ſigned more
"than our juſtices deſired. All which was very well known
"to ſome members, of one or both houſes of parliament,
"who have the more to anſwer, if they forbore to expreſs
"it at the paſſing of this declaration: and if they did ex-
"preſs it, we have the greater reaſon to complain, that ſo
"envious an aſperſion ſhould be caſt on us to our people,
"when they know well how to anſwer their own ob-
"jections. (14.)

REM. (14.) This anſwer appears ſomething weak; for ſuppoſing forty copies would have been ſufficient for Ireland, why was not the proclamation publiſhed in England? The king returns no anſwer to what the parliament ſaid of the proclamation againſt the Scots.

"What that complaint is againſt the parliament, put
"forth in our name, which is ſuch an evidence and coun-
"tenance to the rebels, and ſpeaks the ſame language of
"the parliament which the rebels do, we cannot under-
"ſtand. All our anſwers and declarations have been, and

" are owned by us, and have been atteſted under our own 1642.
" hand; if any other had been publiſhed in our name, and
" without our authority, it would be eaſy for both houſes of
" parliament to diſcover and apprehend the authors. And
" we wiſh, that whoſoever was truſted with the drawing
" and penning of that declaration, had no more authority or
" cunning to impoſe upon or deceive the major part of
" thoſe votes by which it paſſed, than any man hath to
" prevail with us to publiſh in our own name any thing,
" but the ſenſe and reſolution of our own heart: or, that
" the contriver of that declaration could, with as good a
" conſcience, call God to witneſs, that all his counſels and
" endeavours have been free from all private aims, perſo-
" nal reſpects or paſſion whatſoever, as we have done and
" do, that we never had or knew of ſuch reſolutions of
" bringing up the army to London. And ſince this new
" device is found out, inſtead of anſwering our reaſons, or
" ſatisfying our juſt demands, to blaſt our declarations and
" anſwers, as if they were not our own (a bold ſenſeleſs im-
" putation) we are ſure, that every anſwer and declaration
" publiſhed by us, is much more our own, than any one of
" thoſe bold, threatning, and reproachful petitions and re-
" monſtrances are the acts of either, or both houſes. And
" if the penner of that declaration had been careful of the
" truſt repoſed in him, he would never have denied, (and
" thereupon found fault with our juſt indignation) in the
" text or margin, that we had never been charged with the
" intention of any force; and that in their whole declara-
" tion, there is no word tending to ſuch a reproach; the
" contrary whereof is ſo evident, that we are in expreſs
" terms charged in that declaration, that we ſent them gra-
" cious meſſages, when, with our privity, bringing up the
" army was in agitation: And even in this declaration they
" ſeek to make our people believe, ſome ſuch thing to be
" proved in the depoſitions now publiſhed, wherein, we
" doubt not, they will as much fail, as they do in their cen-
" ſure of that petition ſhewed formerly to us by captain
" Legg, and ſubſcribed by us with C. R. which, notwith-
" ſtanding our full and particular narration of the ſubſtance
" of that petition, the circumſtances of our ſeeing and ap-
" proving it, this declaration is pleaſed to ſay, was full of
" ſcandal to the parliament, and might have proved dan-
" gerous to the whole kingdom. If they have this dan-
" gerous petition in their hands, we have no reaſon to be-
" lieve any tenderneſs to us-ward hath kept them from com-

1642. "municating it: if they have it not, we ought to have been "believed. But that all good people may compute their "other pretended dangers by their clear underſtanding of "this, the noiſe whereof hath not been inferior to any of "the reſt, we have recovered a true copy of the very peti-"tion we ſigned with C. R. which ſhall in fit time be pub-"liſhed; and which we hope will open the eyes of our "good people. (15.) Concerning our warrant for Mr. "Jermin's paſſage, our anſwer was true and full: but for "his black ſattin ſuit, and white boots, we can give no "account.

REM. (15.) This whole article of the anſwer ſeems very weak, ſince the king's defence conſiſts only of his own teſtimony. There could not be a more proper occaſion to publiſh the petition, of which he ſaid he had a true copy. But in deferring the publication to a more convenient time, he gave room to ſuſpect, there were ſome things in the petition which were not favorable to him.

"We complained in our declaration, and as often as we "have occaſion to mention our return and reſidence near "London, we ſhall complain, of the barbarous and ſedi-"tious tumults at Weſtminſter and Whitehall, which in-"deed was ſo full of ſcandal to our government, and danger "to our perſon, that we ſhall never think of our return thi-"ther, till we have juſtice for what is paſt, and ſecurity for "the time to come. And if there were ſo great a neceſſity, "or deſire of our return as is pretended, in all this time, "upon ſo often preſſing our deſires, and upon cauſes ſo no-"torious, we ſhould at leaſt have procured ſome order for "the future. But that declaration tells us, we are upon "the matter miſtaken; the reſort of the citizens to Weſt-"minſter was as lawful as the reſort of great numbers every "day in the term to the ordinary courts of juſtice. They "knew no tumults. Strange! Was the diſorderly appear-"ance of ſo many thouſand people with ſtaves and ſwords, "crying through the ſtreets, Weſtminſter-hall, the paſſage "between both houſes, (inſomuch as the members could "hardly paſs to and fro) *No biſhops, down with the biſhops*; "no tumults! What member is there of either houſe that "ſaw not thoſe numbers, and heard not thoſe cries? And "yet lawful aſſemblies! Were not ſeveral members of "either houſe aſſaulted, threatened and ill treated? And yet "no tumults! Why made the houſe of peers a declaration, "and ſent it down to the houſe of commons, for the ſup-"preſſing of tumults, if there were no tumults? And if

"there

"there were any, why was not ſuch a declaration conſented 1642.
"to and publiſhed? When the attempts were ſo viſible,
"and the threats ſo loud to pull down the abbey at Weſt-
"minſter, had we not cauſe to apprehend that ſuch people
"would continue their work to Whitehall? Yet no tu-
"mults! What a ſtrange time are we in! That a few im-
"pudent, malicious (to give them no worſe term) men,
"ſhould caſt ſuch a ſtrange miſt of error before the eyes of
"both houſes of parliament, as that they either cannot, or
"will not ſee, how manifeſtly they injure themſelves by
"maintaining theſe viſible untruths? We ſay no more.
"By the help of God, and the law, we will have juſtice
"for thoſe tumults. (16.)

REM. (16.) The parliament's declaration contained two things upon this article; firſt, That the concourſe of people at Weſtminſter was no tumult. Secondly, That the king's perſon was in no danger, ſince on the morrow he went through the city without a guard, and moreover ſtaid ſeveral days at Whitehall in ſafety. The king anſwers here to the firſt of theſe things, and leaves the other without reply. Only he draws a conſequence, that Whitehall was in danger, becauſe the people threatened to pull down Weſtminſter-abbey, a circumſtance which no where appears in the accounts of theſe tumults.

"From excepting (how weightily let every man judge)
"to what we have ſaid, that declaration proceeds to cen-
"ſure us for what we have not ſaid, for the prudent omiſ-
"ſions in our anſwer! We forbore to ſay any thing of the
"words ſpoken at Kenſington, or the articles againſt our
"deareſt conſort, and of the accuſation of the ſix members:
"of the laſt we had ſpoken often, and we thought enough
"of the other two; having never accuſed any (though God
"knows what truth there might be in either) we had no
"reaſon to give any particular anſwer.

"We do not reckon ourſelf bereaved of any part of our
"prerogative, which we are pleaſed freely for a time to
"part with by Bill; yet we muſt ſay, we expreſſed a great
"truſt in our two houſes of parliament, when we diveſted
"ourſelf of the power of diſſolving this parliament, which
"was a juſt, neceſſary, and proper prerogative: but we are
"glad to hear their reſolution, that it ſhall not encourage
"them to do any thing, which otherwiſe had not beeen fit
"to have been done; if it do, it will be ſuch a breach of
"truſt, God will require an account for at their hands.

1642. " For the militia, we have ſaid ſo much in it heretofore,
" and the point is ſo well underſtood by all men, that we
" will waſte time no more in that diſpute. We never ſaid
" there was no ſuch thing as an ordinance, (though we
" know that they have been long diſuſed) but that there
" was never any ordinance, or can be, without the king's
" conſent; and that is true, and the unneceſſary precedent
" cited in that declaration doth not offer to prove the con-
" trary. But enough of that, [redacted] and the law muſt de-
" termine that buſineſs.

" Neither hath this declaration given us any ſatisfaction
" concerning the votes of the 15th and 16th of March laſt,
" which we muſt declare, and appeal to all the world in
" the point, to be the greateſt violation of our privilege,
" the law of the land, the liberty of the ſubject, and the
" right of parliament, that can be imagined. One of
" theſe votes is, (and there needs no other to deſtroy the
" king and people) *That when the lords and commons* (it is
" well the commons are admitted to their part in judica-
" ture) *ſhall declare what the law of the land is, the ſame muſt*
" *be aſſented to, and obeyed*; that is the ſenſe in few words.
" Where is every man's property; every man's liberty? If
" a major part of both houſes declare that the law is, that
" the younger brother ſhall inherit, what is become of all
" the families and eſtates in the kingdom? If they declare,
" that by the fundamental law of the land, ſuch a raſh ac-
" tion, ſuch an unadviſed word ought to be puniſhed by
" perpetual impriſonment, is not the liberty of the ſubject,
" *durante bene placito*, remedileſs? That declaration con-
" feſſeth, They pretend not to a power of making new
" laws; that without us they cannot do that. They need
" no ſuch power, if their declaration can ſuſpend this ſta-
" tute from being obeyed or executed, and make this order,
" which is no ſtatute, to be obeyed and executed. If they
" have power to declare the lord Digby, waiting on us to
" Hampton-court, and thence viſiting ſome officers at
" Kingſton, with a coach and ſix horſes, to be levying of
" war and high-treaſon; and Sir John Hotham's defying
" us to our face, keeping our town, fort, and goods againſt
" us by force of arms, to be an act of affection and loyalty,
" what needs a power of making new laws? Or is there
" ſuch a thing as law left? We deſire our good ſubjects to
" mark the reaſon and conſequence of theſe votes, the pro-
" greſs they have already made, and how infinite that pro-
" greſs may be. Firſt, they vote the kingdom is in immi-

" nent

" nent danger, (it is above three months since they dis- 1642.
" cerned it) from enemies abroad, and a popish and dis-
" contented party at home: this is matter of fact, the law
" follows. This vote hath given them authority by law
" (the fundamental laws of the kingdom) to order and dis-
" pose of the militia of the kingdom, and with this power,
" and to prevent that danger, to enter into our towns, seize
" upon our magazine, and by force keep both from us. Is
" not this our case? First, they vote we have an intention
" to levy war against our parliament[1], that is matter of
" fact: then they declare, such as shall assist us, to be guilty
" of high-treason; that is the law, and proved by two sta-
" tutes, themselves know to be repealed: no matter for
" that, they declare it. Upon this ground they exercise
" the militia, and so actually do that upon us, which they
" have voted we intend to do upon them. Who doth not see
" the confusion that must follow upon such a power of de-
" claring? If they should now vote, that we did not write
" this declaration, but that such an one did it, which is
" still matter of fact; and then declare, that for so doing
" he is an enemy to the commonwealth; what is become
" of the law that man was born to? And if all their zeal
" for the defence of the law, be but to defend that which
" they declare to be law, their own votes, it will not be in
" their power to satisfy any man of their good intentions to
" the publick peace, but such who are willing to relinquish
" their titles to *Magna Charta*, and hold their lives and for-
" tunes by a vote of a major part of both houses. In a
" word, we deny not, but that they may have power to de-
" clare, in a particular doubtful case, regularly brought be-
" fore them, what law is; but to make a general declara-
" tion, whereby the known rule of the law may be crossed
" or altered, they have no power, nor can exercise any,
" without bringing the life and liberty of the subject, to a
" lawless and arbitrary subjection. (17.)

REM. (17.) It must have been a great mortification to the king, to be forced to shew by such good arguments, the mischiefs that flow from arbitrary power. The same reasons used by the king, to demonstrate that arbitrary power was a natural consequence of the parliament's maxims, served to prove, that it was equally hazardous to leave, not every king of England, but Charles I. in particular, invested with the authority allowed him by the laws, considering the use he had already made of that power.

[1] These votes passed in the interval between the publication of the parliament's declaration, and that of the king's answer, Rapin.

1642. " We complained, (and let the world judge of the juſtice " and neceſſity of that complaint) of the multitude of ſedi- " tious pamphlets and ſermons. And that declaration tells " us, they know we have ways enough, in our ordinary " courts of juſtice to puniſh thoſe; ſo we have to puniſh " tumults and riots, and yet they will not ſerve our turn to " keep our towns, our foreſts, and parks from violence [1]. " And it may be, though thoſe courts have ſtill the power " to puniſh, they may have loſt the ſkill to define what " riots and tumults are; otherwiſe a jury in Southwark, " legally impannelled to examine a riot there, would not " have been ſuperſeded, and the ſheriff enjoined not to pro- " ceed, by virtue of an order of the houſe of commons, " which it ſeems at that time had the ſole power of declar- " ing. But it is no wonder, that they who could not " ſee the tumults, do not conſider the pamphlets and ſer- " mons, though the author of the *Proteſtation proteſted*, be " well known to be Burton (that infamous diſturber of the " peace of this church and ſtate) and that he preached it at " Weſtminſter, in the hearing of divers members of the " houſe of commons. But of ſuch pamphlets, and ſeditious " preachers (divers whereof have been recommended, if not " impoſed upon ſeveral pariſhes, by ſome members of both " houſes, by what authority we know not) we ſhall here- " after take a further account. (18.)

REM. (18.) Theſe ſermons contained, for the moſt part, the maxims which the parliament would have eſtabliſhed, or pretended to be agreeable to the laws; but which the king looked upon as ſeditious, and for that reaſon affirmed the parliament ought to puniſh the authors. This Burton was the ſame whoſe ears were cut off by the Star-chamber, and who was baniſhed to Guernſey, for publiſhing a treatiſe againſt the church of England. It ſeems here, that the king was not pleaſed with the parliament's reverſing his ſentence.

" We confeſs we have little ſkill in the laws, and thoſe " that have had moſt, we now find are much to ſeek. Yet " we cannot underſtand or believe, that every ordinary court, " or any court, hath power to raiſe what guard they pleaſe; " and under what command they pleaſe; neither can we " imagine what dangerous effects they found by the guard " we appointed them, or (indeed) any the leaſt occaſion " why they needed a guard at all.

" But

[1] This alludes to a diſturbance which happened in the park and foreſt of Windſor, *Idem*.

"But of all the imputations so causelessly and unjustly 1642.
"laid upon us by that declaration, we most wonder at that
"charge so apparently and evidently untrue? That such are
"continually preferred and countenanced by us, who are
"friends or favourers or related into the chief authors and
"actors of that arbitrary power, heretofore practised or
"complained of: and on the other side, that such as did
"appear against it, are daily discountenanced and disgraced.
"We would know one person that contributed to the ills
"of those times, or had dependence upon those that did,
"whom we do, or lately have countenanced or preferred.
"Nay, we are confident (and we look for no other at their
"hands) as they have been always most eminent assertors of
"the publick liberties; so, if they found us inclined to any
"thing not agreeable to honour and justice, they would
"leave us to-morrow: whether different persons have not,
"and do not receive countenance elsewhere, and upon what
"grounds, let all men judge; and whether we have not
"been forward enough to honour and prefer those of the
"most contrary opinion, how little comfort soever we have
"had of those preferments; in bestowing of which here-
"after we shall be more guided by mens actions than opi-
"nions. And therefore we had good cause to bestow that
"admonition (for we assure you it was an admonition of
"our own) upon both our houses of parliament, to take heed
"of inclining, under the specious shews of necessity and
"danger, to the exercise of such an arbitrary power they
"before complained of: the advice will do no harm, and
"we shall be glad to see it followed.

"And are all the specious promises, and loud professions of
"making us a great and glorious king, of settling a greater
"revenue upon us than any of our ancestors have enjoyed;
"of making us to be honoured at home, and feared abroad;
"resolved into this, that they will be ready to settle our
"revenue in an honourable proportion, when we shall put
"ourself in such a posture of government, that our sub-
"jects may be secure to enjoy our just protection for their
"religion, laws, and liberties? what posture of govern-
"ment they intend we know not, nor can we imagine what
"security our good subjects can desire for their religion,
"laws, and liberties, which we have not offered, or fully
"given." (19.)

Rem. (19.) Unhappily, since the violation of the peti-
tion of right, neither the king's word nor promises, nor
even acts of parliament, had been deemed a sufficient secu-

1642. rity. At leaſt, plauſible reaſons were alledged not to confide in them. Nothing but the militia could ſatisfy the parliament, and that was what the king would not willingly grant.

"And is it ſuitable to the duty and dignity of both "houſes of parliament, to anſwer our particular weighty "expreſſions of the cauſes of our remove from London (ſo "generally know to the kingdom) with a ſcoff, that they "hope we were driven from thence, not by our own fears, "but by the fears of the lord Digby, and his retinue of "*cavaliers?* Sure the penner of that declaration inſerted "that ungrave and inſolent expreſſion, (as he hath done "divers others) without the conſent or examination of both "houſes, who would not ſo lightly have departed from "their former profeſſions of duty to us.

"Whether the way to a good underſtanding between us "and our people, hath been as zealouſly preſſed by them, "as it hath been profeſſed and deſired by us, will be eaſily "diſcerned by thoſe who obſerve, that we have left no pub-"lick act undone on our part, which in the leaſt degree "might be neceſſary to the peace, plenty, and ſecurity of "our ſubjects, and that they have not diſpatched one act, "which hath given the leaſt evidence of their particular af-"fection and kindneſs to us; but on the contrary, have "diſcountenanced and hindered the teſtimony other men "would give to us of their affections; witneſs, the ſtopping "and keeping back the bill of ſubſidies granted by the "clergy almoſt a year ſince; which, though our perſonal "wants are ſo notoriouſly known, they will not to this "time paſs: ſo not only forbearing to ſupply us themſelves, "but keeping the love and bounty of other men from us, "and afford no other anſwers to all our deſires, all our rea-"ſons, (indeed not to be anſwered) than, that we muſt "not make our underſtanding or reaſon, the rule of our go-"vernment; but ſuffer ourſelf to be aſſiſted (which we ne-"ver denied) by our great council. We require no other "liberty to our will, than the meaneſt of them do, (we "wiſh they would always uſe that liberty) not to conſent "to any thing evidently contrary to our conſcience and un-"derſtanding; and we have, and ſhall always give as much "eſtimation and regard to the advice and counſel of both "our houſes of parliament, as ever prince hath done; but "we ſhall never (and we hope our people will never) ac-"count the contrivance of a few factious, ſeditious perſons, "a malignant party, who would ſacrifice the common-

"wealth

" wealth to their own fury and ambition) the wiſdom of 1642.
" parliament: and that the juſtifying and defending ſuch
" perſons; (of whom, and of their particular ſiniſter ways
" to compaſs their own bad ends, we ſhall ſhortly inform
" the world) is not the way to preſerve parliaments, but is
" the oppoſing and preferring the conſideration of a few
" unworthy perſons, before their duty to their king, or
" their care of the kingdom. They would have us remem-
" ber, that our reſolutions do concern kingdoms, and there-
" fore are not to be moulded by our own underſtanding.
" We well remember it, but we would have them remem-
" ber, that when their conſultations endeavour to leſſen
" the office and dignity of a king, they meddle with that
" which is not within their determination, and of which
" we muſt give an account to God and our other king-
" doms, and muſt maintain with the ſacrifice of life.

" Laſtly, That declaration tells you, of a preſent deſpe-
" rate, and malicious plot, the malignant party is now act-
" ing, under the plauſible notions of ſtirring men up to a
" care of preſerving the king's prerogative, maintaining the
" diſcipline of the church, upholding and continuing the
" reverence and ſolemnity of God's ſervice, and encourag-
" ing learning, (indeed plauſible and honourable notions to
" act any thing upon) and that upon theſe grounds divers
" mutinous petitions have been framed in London, Kent,
" and other places. Upon what grounds would theſe men
" have petitions framed? Have ſo many petitions (even
" againſt the form and conſtitution of the kingdom, and
" the laws eſtabliſhed) been joyfully received and accepted?
" And ſhall petitions framed upon theſe grounds be called
" mutinous? Hath a multitude of mean, unknown, inconſi-
" derable, contemptible perſons, about the city and ſuburbs of
" London, had liberty to petition againſt the government of
" the church, againſt the book of common-prayer, againſt
" the freedom and privilege of parliament, and been thanked
" for it? And ſhall it be called mutiny in the graveſt and
" beſt citizens of London, in the gentry and commonalty
" of Kent, to frame petitions upon theſe grounds [1], and to
" deſire

[1] The petitions here mentioned, from London and Kent, were about the militia. For the London petition, George Binion, a rich citizen, was committed to priſon: where, after he had lain ſome time, the lords bailed him; but the commons committed him again the next day.—When the Kentiſh petition was brought, which was by ſome gentlemen of that county, with a great number of the ſubſtantial inhabitants, the city of London was put in arms; ſtrong guards placed at London-bridge, where the petitioners were diſarmed, and only ſome few ſuffered to paſs with their petition to Weſtminſter. Upon the delivery thereof to the houſe of commons, the bringers of the petition were

1642. "desire to be governed by the known laws of the land, "not by orders or votes of either, or both houses? Can "this be thought the wisdom and justice of both houses of "parliament? Is it not evidently the work of a faction "within or without both houses, who deceive the trust re- "posed in them, and have now told us, what mutiny is? "To stir up men to a care of preserving our prerogative, "maintaining the discipline of the church, upholding and "continuing the reverence and solemnity of God's service, "encouraging of learning, is mutiny. Let heaven and "earth, God and man, judge between us and these men. "And however such petitions are there called mutinous, "and the petitioners threatned, discountenanced, censured, "and imprisoned; if they bring such lawful petitions to us, "we will graciously receive them, and defend them and "their rights against what power soever, with the uttermost "hazard of our being.

"We have been the longer, (to our very great pain) in "this answer, that we might give the world satisfaction, "even in the most trivial particulars which have been ob- "jected against us; and that we may not be again reproach- "ed with any more prudent omissions. If we have been "compelled to sharper language than we affect, let it be "considered, how vile, how insufferable, our provocations "have been: and except to repel force, be to assault, and "to give punctual and necessary answers to rough and in- "solent demands, be to make invectives, we are confident "the world will accuse us of too much mildness, and all "our good subjects will think we are not well dealt with, "and will judge of us, and of their own happiness and se- "curity in us, by our actions; which we desire may no "longer prosper, or have a blessing from God upon them "and us, than they shall be directed to the glory of God, "in the maintenance of the true Protestant profession, to "the preservation of the property, and the liberty of the "subject, in the observation of the laws, and to the main- "tenance of the rights and freedom of parliament, in the "allowance and protection of all their just privileges."

After

were sharply reprehended; two or three of them committed to several prisons; the principal gentlemen of the county, who had subscribed and desired it, sent for as delinquents; charges and impeachments drawn up against them; and a declaration published, "That whosoever should "henceforth advise, or contrive the "like petitions, should be proceeded "against as enemies to the common- "wealth. Clarendon, Tom. I. p. 381, 382.

After all these papers in this second part of the reign of Charles I. one should, it seems, have a perfect knowledge of the differences between the king and the parliament, and the subject be exhausted. Nevertheless, if the reader should keep to the papers published on both sides, he would not have a very clear idea of the cause of these differences. To this end, he must understand the motives which they took care not to discover in their manifestos, published only with design to gain the approbation of the people. The following deduction will, in my opinion, serve to give a clear and plain idea of these differences. I shall say nothing but what has been said in several places, and yet, I believe, it will not be superfluous, briefly to recapitulate the whole, which may be of service to show the grounds and causes of the civil wars. 1642. Explication of the differences between the king and parliament.

It must be laid down as an undeniable fact, after what has been said, that the king had formed a design to establish an arbitrary government in England. They who deny this, have only to seek in their imagination a more natural cause of the people's discontent against his government. But it is certain, whatever their system may be, they will never be able, without this, so to reconcile it with the events as to satisfy the impartial. The four preceding parliaments considered all the king's proceedings, from the beginning of his reign, as tending to establish an absolute power. This was what they called their grievances, the redress whereof they had frequently, though in vain, demanded.

Charles I. inherited the king his father's mortal aversion to the puritans or presbyterians. He was, like him, persuaded that their principles concerning church-government, were directly opposite to monarchy. They both went still farther. They believed not only, that all the puritans were antimonarchical, but also, that all those who were against a despotic power were truly puritans. This made Charles I. resolve to ruin such as were not submissive enough to his will, by confounding them all under the name of puritans. To that purpose he admitted into his council and public-offices, such only as were of his principles. Hence sprung all the severities exercised by the council, the star-chamber, the high-commission, the judges, and all the magistrates, upon those that, according to the notions of the court, were infected with puritanism, though many of these men were sincerely attached to the church of England. Herein the king, contrary to his intention, did a very considerable service to the true presbyterians, since he confounded their

interests

1642. intereſts with thoſe of a great number of people, who otherwiſe would have had no inclination to preſbyterianiſm. The truth is, they were both threatened with the ſame deſtruction. And therefore, in the elections for this laſt parliament, many were returned of contrary principles to the king and court. Among theſe, the preſbyterians were the moſt ardent, perceiving their ruin was determined, and would ſoon approach if the king ſucceeded in his deſigns. Thus, the preſbyterian-party, which before made an inconſiderable figure in the kingdom, grew very powerful by the junction of the other ſort of puritans, whom the court was pleaſed to confound with them.

On the other hand, archbiſhop Laud and ſome of the court-biſhops, deviſed a means, which could not fail to afford them occaſions to perſecute the puritans. This was to enjoin with great rigour the obſervance of certain practices, which moſt people looked upon as indifferent. Nay, they added ſundry innovations, which offended not only the preſbyterians, but alſo many church-of-England-men. This produced great murmurs. But people were not ſatisfied with complaining, they openly diſobeyed, and their diſobedience afforded a pretence to puniſhment. Hereby the biſhops, who were the chief authors of theſe innovations, made themſelves ſo odious, that many believed to have juſt reaſon to ſuſpect a deſign to reſtore the popiſh religion, ſince the eſtabliſhment of theſe innovations was ſo ardently purſued, which ſeemed to tend only to draw the church of England nearer to that of Rome. If to this diſcontent be added that occaſioned by the king's government with regard to the liberties of the people and the privileges of the parliament, it will not be difficult to conceive, that the nation in general was extremely diſſatisfied.'

Though, in this laſt parliament there were many preſbyterians for the reaſon above-mentioned, they were not however ſtrong enough to form a party capable of oppoſing that of the church, had they at firſt diſcovered their intentions. So, it may be affirmed, that in general, the deſign of this parliament, when they met, was not to overthrow the church of England, and eſtabliſh preſbyterianiſm in its room, though it can ſcarce be doubted, that this was the private aim of the preſbyterians. But, as their number was too ſmall to oppoſe all the reſt of the parliament, they reſolved to join with the oppoſite party to the king, for procuring the redreſs of grievances. Among theſe grievances, ſome concerned religion, as the innovations which offended the

church-

church-men no leſs than the preſbyterians themſelves. Upon 1642.
that ſubject, theſe ſcrupled not to declaim ſtrenuouſly when occaſion offered, and to repreſent theſe grievances as being of very dangerous conſequence. They could do it without diſcovering themſelves too openly, becauſe, as I ſaid, moſt of the members of parliament were already prejudiced againſt the innovations and the conduct of the biſhops. As the king was extremely zealous for the church of England, and in the number of thoſe who conſidered the innovations and ſome other trifles as neceſſary to the ſolemnity of the public worſhip, he oppoſed their ſuppreſſion as much as poſſible, not directly, but by means of the biſhops, popiſh lords, and others of his party. Wherefore the preſbyterians endeavoured to convince all the reſt of the contrary party, that as long as the biſhops ſhould ſit in the houſe of lords, it would be almoſt impoſſible to obtain an intire redreſs of grievances. The houſe of commons perſiſted therefore in ſo ordering it, that the biſhops votes ſhould be taken away, wherein they met with great obſtacles. But at length, by means of the tumults they frightned them away, and induced them to preſent the proteſtation, which occaſioned the ſending of twelve of them to the Tower. By the ſame means, the popiſh lords were alſo forced to abſent themſelves from the parliament. From that time the king's party became very weak, and the preſbyterians acquired new ſtrength.

Afterwards, the preſbyterian party having gained ſo much ground, diligently applied themſelves to cheriſh the diſſention between the king and the parliament. It was they that cauſed the remonſtrance of the ſtate of the kingdom to be paſſed, which was preſented to the king at his return from Scotland, and was as the ſignal of the rupture. Unhappily, there was in the preſbyterian-party, another party which concealed themſelves, and were afterwards known by the name of *Independents*. This party, as they could not accompliſh their ſecret deſigns without diſorder and confuſion, affected a rigid preſbyterianiſm, and ſtrove to carry things to extremities, under colour of maintaining preſbyterianiſm, though in truth their intention was to deſtroy it as well as the church of England.

Mean while, the king retiring to York, and perceiving a war unavoidable, ſent private notice to all whom he thought his friends in both houſes, to leave the parliament and repair to York or elſewhere. Many obeyed, and by their retreat, the preſbyterian-party became ſuperior in the two houſes.

1642. houſes. Before that time, when any thing was moved by the preſbyterians, tending to the ſubverſion of the church of England, thoſe who had any regard for the church did not fail to oppoſe it, and of this number were all the king's friends. But as ſoon as theſe were retired, the preſbyterian-party, by their ſuperiority in both houſes, paſſed whatever they pleaſed. This is what the king obſerved in ſeveral paſſages of his anſwer. Thus, the preſbyterian-party prevailing in both houſes, and ſecretly intending to alter the church-government, but the thing being impracticable ſo long as the king ſhould preſerve his power, it is evident, that according to this project it was the parliament's intereſt, which was directed by the preſbyterians, carefully to avoid whatever tended to an accommodation, which would have broken all their meaſures. But they took care not to diſcover intirely their deſigns. It was not yet time, till they had put it out of the king's power to prevent the execution. So, though they rendered their fears and jealouſies of the king as plauſible as poſſible, and though it be granted, they had reaſon to ſuſpect and fear, there is however room to think that the danger they repreſented as being ſo near and imminent, was not ſo real as they pretended. Their grand aim, was to induce the king to begin the breach, wherein the king ſeems not to have ſoon enough perceived the ſnare that was laid for him.

As for the king, it is almoſt impoſſible to know perfectly his ſecret motives and intentions, becauſe, ſince the opening of the parliament, it had never been in his power to ſhow them evidently by any effects. It is true, he gave his aſſent to ſeveral advantageous bills to the people, and thereby ſeemed to expreſs a kind of repentance for his paſt conduct. But his ſituation, when he paſſed theſe acts, made it doubtful, whether he ſincerely conſented to the redreſs of grievances, or whether it was only to accommodate himſelf to the times. He aſſured, that his intention was to govern for the future according to law, and called God to witneſs his ſincerity. But they would not rely on his word. Thus much is certain, that whatever he ſaid or did in favour of the laws, was little agreeable to the principles he had followed for fifteen years. If any were perſuaded, that his aſſeverations and promiſes were ſufficient for the nation's ſecurity, others thought to have juſt cauſe to queſtion their ſincerity, becauſe they came at a time when he had no other refuge than the laws to ſupport himſelf, nor other means than his promiſe to obſerve them, to hinder the whole nation

tion from intirely deſerting him. I ſhall not pretend to decide ſo difficult a queſtion, which is beyond human reach, there being none but God alone who knows perfectly what paſſes in the heart. I believe it raſh to affirm, that Charles I. was not ſincere in his promiſes. But I believe alſo, his ſincerity may be doubted, ſince he had never opportunity to demonſtrate it by effects. 1642.

Whatever was the king's private intention, he fully perceived that of the prevailing party in the parliament, and ſaw that force alone could free him from his danger. His propoſals for an agreement were rejected, and his promiſes to keep the laws for the future conſidered as ſo many ſnares, and unfortunately for him he had given but too much cauſe for diſtruſt. He could not diſown it with reſpect to what had paſſed before this parliament; and even during this parliament, he had taken ſome ſteps, which his enemies knew how to turn to their advantage. Such was the plot to ſeduce the army, in which probably he was concerned, though he could affirm, he knew of no reſolution to bring up the army to London. Such was the accuſation of the ſix members of parliament, which could not but breed a ſuſpicion of ſome hidden deſign. The project to ſecure Hull, his withdrawing to York, the queen's voyage into Holland, the motive whereof was diſcovered in time, were things that helped not to cure the people's ſuſpicions. So both houſes ſteddily keeping to the occaſions of jealouſy, fear and diſtruſt, which they had, or pretended to have of the king, made uſe of them to convince the people, that there was no depending on his promiſes, unleſs it was put out of his power to break them. This occaſioned the affair of the militia, on account of which the king was drawn into a ſtrait, from whence he could not get clear. For, by granting the militia, he would himſelf have been ſubſervient to the execution of the parliament's deſigns, and by refuſing it, he gave occaſion to ſay, he was willing to agree with both houſes, without giving them other ſecurity than his word, which, as they pretended, could not be relied on. It is alſo true, that the king would not recede from any of his rights, neither would he offer other aſſurance than his word, to ſatisfy the parliament.

After what has beeen ſeen, it will not be hard to perceive the ground of the quarrel, and the difficulties of an accommodation. That concerning the government of the church, was one of the principal, though it may not be clearly explained in the manifeſtos of both parties. If the king's in-

tereſts

1742. tereſts had been ſolely in queſtion, perhaps he would have agreed to ſome conceſſions, at leaſt, for a time.' But he found, that one chief reaſon of his enemies deſiring to leſſen his authority, was, the more eaſily to accompliſh a change in the eccleſiaſtical government, which he thought himſelf bound in conſcience to oppoſe to the utmoſt of his power. He was ſo ſtrongly, and ſo ſincerely attached to the church of England, that he looked upon any condeſcenſion which might tend to her ruin, as the blackeſt crime he could be guilty of, and perſiſted in this opinion, even when his affairs were grown deſperate. All his counſellors were of the ſame principles. They believed the epiſcopal government of the church ſo abſolutely neceſſary, that a church without biſhops was no true church in their opinion. On the other hand, the preſbyterians were no leſs poſſeſſed with their notions, and without diſtinguiſhing what is eſſential in religion from what is only external, they conſidered the uſages and practices of the church of England as a ſort of popery. Beſides, they were ſo convinced of the king's enmity to them, that they could not think themſelves ſafe, ſo long as it was in his power to oppreſs them. Matters ſtanding thus, it is evident, that force of arms alone was capable of obliging one or other party to yield.

The earl of Briſtol in vain propoſes an accommodation, May 20, Ruſhworth, IV. p. 714.

A war being almoſt unavoidable, the earl of Briſtol, tho' he had no great reaſon to be pleaſed with the king, made his laſt effort to procure an accommodation, by a ſpeech in the houſe of peers. He repreſented, that the thing was not impoſſible, if it was ſincerely endeavoured. After having enumerated all the miſchiefs of a civil war, and the calamities it is uſually attended with, he moved to appoint a ſelect committee of both houſes, truly to ſtate all the differences betwixt the king and the parliament, with the moſt probable ways of reconciling them; what the king ought to do to ſatisfy the people, and what ſecurity he ſhould give. He added ſeveral other things, which plainly ſhowed, he inclined to the king's ſide, and becauſe, withal, he mentioned religion but very ſlightly and in general terms, his ſpeech had no great effect.

The ſame, or the next day, the commons voted:

The commons votes. Id. p. 717. Clarendon, T. I. p. 418. T. May.

" 1. That it appeared, that the king, ſeduced by wicked " counſels, intended to make war againſt the parliament, " who, in all their conſultations and actions, had propoſed " no other end unto themſelves, but the care of his king- " doms, and the performance of all duty and loyalty to his " perſon.

" 2. That

"2. That whensoever the king made war upon the par- 1642.
"liament, it would be a breach of the trust reposed in him
"by his people, contrary to his oath, and tending to the
"dissolution of the government.

"3. That whosoever should serve or assist him in such
"wars, would be traitors by the fundamental laws of the
"kingdom; and had been so judged by two acts of parlia-
"ment, and ought to suffer as traitors, 11 Rich. II.
"1 Hen. IV."

May the 22d, the lord-keeper Littleton delivered the great-seal to be carried to the king, and followed it himself the next morning, before the parliament had any knowledge of it. The king gets the great-seal. Ib. p. 713. Clarendon, T. I. p. 442, &c.

The 23d, both houses sent a petition to the king, to desire him to disband the horse and foot raised under colour of a guard for his person. They told him, if he did not dismiss these forces, they should be obliged to preserve the peace of the kingdom by the most proper means. The king returned a very sharp answer to this petition, reproaching both houses, that they had raised a guard for themselves, and ordered the sheriffs to oppose with the power of the counties, such as should be drawn together by the king's command [2]. The parliament's petition to the king to disband his forces. Rushworth, IV. p. 719. May 23. The king's answer. Id. p. 720. Clarendon, T. I. p. 418.

A war, as I said, was resolved on both sides; but each still proceeded with some caution, in order to cast the blame on the contrary party. For, in a civil war, it is chiefly the people that are wanted, because in them lies the strength of the two parties. The earl of Bristol, in his speech to the lords the 20th of May, observed, that it was not impossible to propound and settle the differences betwixt the king and the parliament; but that the great difficulty consisted in finding such security, as might stand with the king's honour, and the people's satisfaction. He chiefly insisted upon this, that the king offering to give reasonable security, they were not to reject the offer, and charge themselves with the events of a war. As this offer, though made in very general terms, appeared plausible, the parliament was apprehensive, it would make some impression on the people. And therefore, they judged it necessary to show that the king, by this general offer, did however offer only his word for security,

[1] These votes were passed before the king's answer to the parliament's manifesto, and therefore are mentioned by him in that answer. Rapin.

[2] This order was dated May 17, and was repeated again May 28, together with an order to all high-sheriffs, justices of peace, and other officers, within one hundred and fifty miles of York, to stay all arms and ammunition going to that city. Rushworth, Tom. IV. p. 721, 722.

1642. which could not be a firm foundation of a good agreement. To this end, they ſent him, the 2d of June, nineteen propoſitions, which they conſidered as proper to eſtabliſh a good peace and ſtrict union between the king and the parliament. The propoſitions were theſe:

Nineteen propoſitions ſent to the king by the parliament, June 2. Ruſhworth, IV. p. 722. Clarendon, T. I. p. 493, &c. T. May.

" 1. That the lords, and others of your majeſty's privy-council, and ſuch great officers and miniſters of ſtate, either at home or beyond the ſeas, may be put from your privy-council, and from thoſe offices and employments, excepting ſuch as ſhall be approved of by both houſes of parliament; and that the perſons put into the places and employments of thoſe that are removed, may be approved of by both houſes of parliament; and that the privy-council ſhall take an oath for the due execution of their places, in ſuch forms as ſhall be agreed upon by both houſes of parliament.

" 2. That the great affairs of this kingdom may not be concluded or tranſacted by the advice of private men, or by any unknown or unſworn counſellors, but that ſuch matters as concern the public, and are proper for the high-court of parliament, which is your majeſty's great and ſupreme council, may be debated, reſolved, and tranſacted only in parliament, and not elſewhere; and ſuch as ſhall preſume to do any thing to the contrary, ſhall be reſerved to the cenſure and judgment of parliament: and ſuch other matters of ſtate, as are proper for your majeſty's privy-council, ſhall be debated and concluded by ſuch of the nobility and others, as ſhall from time to time be choſen for that place, by approbation of both houſes of parliament: and that no public act concerning the affairs of the kingdom, which are proper for your privy-council, may be eſteemed of any validity, as proceeding from the royal authority, unleſs it be done by the advice and conſent of the major part of the council, atteſted under their hands; and that your council may be limited to a certain number, not exceeding five and twenty, nor under fifteen. And if any counſellor's place happen to be void in the interval of parliament, it ſhall not be ſupplied without the aſſent of the major part of the council; which choice ſhall be confirmed, at the next ſitting of parliament, or elſe to be void.

" 3. That the lord high-ſteward of England, lord high-conſtable, lord-chancellor, or lord-keeper of the great-ſeal, lord-treaſurer, lord privy-ſeal, earl-marſhal, lord-admiral, warden of the cinque-ports, chief governor of

" Ireland,

" Ireland, chancellor of the exchequer, maſter of the wards, 1642.
" ſecretaries of ſtate, two chief-juſtices and chief-baron,
" may always be choſen with the approbation of both houſes
" of parliament, and, in the intervals of parliament, by
" aſſent of the major part of the council, in ſuch manner
" as is before expreſſed in the choice of counſellors.

" 4. That he or they, unto whom the government and
" education of the king's children ſhall be committed, ſhall
" be approved of by both houſes of parliament; and, in
" the intervals of parliament, by the aſſent of the major
" part of the council, in ſuch manner as is before expreſſed
" in the choice of counſellors; and that all ſuch ſervants
" as are now about them, againſt whom both houſes ſhall
" have any juſt exceptions, ſhall be removed.

" 5. That no marriage ſhall be concluded, or treated for
" any of the king's children, with any foreign prince or
" other perſon whatſoever, abroad or at home, without the
" conſent of parliament, under the penalty of a *præmunire*,
" upon ſuch as ſhould conclude, or treat of any marriage
" as aforeſaid; and that the ſaid penalty ſhall not be par-
" doned or diſpenſed with, but by the conſent of both
" houſes of parliament.

" 6. That the laws in force againſt jeſuits, prieſts, and
" popiſh recuſants, be ſtrictly put in execution, without any
" toleration or diſpenſation to the contrary; and that ſome
" more effectual courſe may be enacted by authority of
" parliament, to diſable them from making any diſturbance
" in the ſtate, or eluding the law by truſts, or otherwiſe.

" 7. That the votes of popiſh lords in the houſe of peers
" may be taken away, ſo long as they continue papiſts;
" and that your majeſty will conſent to ſuch a bill as ſhall
" be drawn, for the education of the children of papiſts by
" proteſtants, in the proteſtant religion.

" 8. That your majeſty will be pleaſed to conſent, that
" ſuch a reformation be made of the church-government,
" and liturgy, as both houſes of parliament ſhall adviſe;
" wherein they intend to have conſultations with divines,
" as is expreſſed in their declaration to that purpoſe; and
" that your majeſty will contribute your beſt aſſiſtance to
" them, for the raiſing of a ſufficient maintenance for
" preaching-miniſters through the kingdom; and that your
" majeſty will be pleaſed to give your conſent to laws, for
" the taking away of innovations and ſuperſtition, and plu-
" ralities, and againſt ſcandalous miniſters.

1642. "9. That your majeſty will be pleaſed to reſt ſatisfied "with that courſe that the lords and commons have ap- "pointed for ordering of the militia, until the ſame ſhall "be farther ſettled by a bill, and that your majeſty will "recal your declarations and proclamations againſt the "ordinance made by the lords and commons concerning "it.

"10. That ſuch members of either houſe of parliament, "as have, during the preſent parliament, been put out of "any place or office, may either be reſtored to that place, "and office, or otherwiſe have ſatisfaction made for the "ſame, upon the petition of that houſe, whereof he or "they are members.

"11. That all privy-counſellors and judges may take an "oath, the form whereof to be agreed on, and ſettled by "act of parliament, for the maintaining of the petition of "right, and of certain ſtatutes made by the parliament, "which ſhall be mentioned by both houſes of parliament; "and that an enquiry of all the breaches and violations of "thoſe laws may be given in charge, by the juſtices of the "King's-bench every term, and by the judges of aſſize in "their circuits, and juſtices of the peace at the ſeſſions, to "be preſented and puniſhed according to law.

"12. That all the judges, and all the officers placed by "approbation of both houſes of parliament, may hold their "places, *quamdiu bene ſe geſſerint.*

"13. That the juſtice of parliament may paſs upon all "delinquents, whether they be within the kingdom, or fled "out of it; and that all perſons cited by either houſe of par- "liament, may appear and abide the cenſure of parliament.

"14. That the general pardon offered by your majeſty "may be granted, with ſuch exceptions as ſhall be adviſed "by both houſes of parliament.

"15. That the forts and caſtles of this kingdom may "be put under the command and cuſtody of ſuch perſons as "your majeſty ſhall appoint, with the approbation of your "parliament; and in the intervals of parliament, with the "approbation of the major part of the council, in ſuch "manner as is before expreſſed in the choice of counſellors.

"16. That the extraordinary guards, and military forces "now attending your majeſty, may be removed and diſ- "charged; and that for the future you will raiſe no ſuch "guards or extraordinary forces, but according to the law, "in caſe of actual rebellion or invaſion.

"17.

" 17. That your majeſty will be pleaſed to enter into a more ſtrict alliance with the ſtates of the United Provinces, and other neighbour princes and ſtates of the proteſtant religion, for the defence and maintenance thereof, againſt all deſigns and atempts of the pope and his adherents to ſubvert and ſuppreſs it, whereby your majeſty will obtain a great acceſs of ſtrength and reputation, and your ſubjects be much encouraged and enabled in a parliamentary way, for your aid and aſſiſtance, in reſtoring your royal ſiſter and her princely iſſue to thoſe dignities and dominions which belong unto them, and relieving the other proteſtant princes who have ſuffered in the ſame cauſe. 1642.

" 18. That your majeſty will be pleaſed, by act of parliament, to clear the lord Kimbolton, and the five members of the houſe of commons, in ſuch manner, that future parliaments may be ſecured from the conſequence of that evil precedent.

" 19. That your majeſty will graciouſly be pleaſed to paſs a bill, for reſtraining peers made hereafter, from ſitting or voting in parliament, unleſs they be admitted thereunto with the conſent of both houſes of parliament.

" And theſe our humble deſires being granted by your majeſty, we ſhall forthwith apply ourſelves to regulate your preſent revenue, in ſuch ſort as may be for your beſt advantage; and likewiſe to ſettle ſuch an ordinary and conſtant increaſe of it, as ſhall be ſufficient to ſupport your royal dignity in honour and plenty, beyond the proportion of any former grants of the ſubjects of this kingdom, to your majeſty's royal predeceſſors. We ſhall likewiſe put the town of Hull into ſuch hands as your majeſty ſhall appoint, with the conſent and approbation of parliament, and deliver up a juſt account of all the magazine; and chearfully imploy the uttermoſt of our power and endeavours in the real expreſſion and performance of our moſt dutiful and loyal affections, to the preſerving and maintaining the royal honour, greatneſs and ſafety of your majeſty and your poſterity."

The king made to theſe propoſitions, a long anſwer, that is to ſay, with ſo long periods, and ſo frequent parentheſes, that it is no eaſy taſk to tranſlate it without loſing ſomething of its force [1].

[1] The original is here inſerted.

1642.

The king's anſwer to the nineteen propoſitions.

Ruſhworth, IV. p. 725. Clarendon. T. I. p. 498, &c.

"BEfore we ſhall give you our anſwer to your petition and propoſitions, we ſhall tell you, that we are now clearly ſatisfied, why the method which we traced out to you by our meſſage of the 20th of January, and have ſince ſo often preſſed upon you, as the proper way to compoſe the diſtractions of this kingdom, and render it truly happy, hath been hitherto declined, and is at length not thought fit to be looked upon. We now ſee plainly, (and deſire that you and all other our good ſubjects ſhould do ſo too) that the cabaliſts of this buſineſs have with great prudence reſerved themſelves, until due preparations ſhould be made for their deſign. If they had unſeaſonably vented ſuch propoſitions, as the wiſdom and modeſty of your predeceſſors never thought fit to offer to any of our progenitors; nor we in honour or regard to our regal authority, (which God hath intruſted us with for the good of our people) could receive without juſt indignation (and ſuch many of your preſent propoſitions are) their hopes would ſoon have been blaſted, and thoſe perſons, to whom offices, honours, power, and commands were deſigned, by ſuch ill-timing of their buſineſs, would have failed of their expectation, not without a brand upon the attempt. Therefore, before any thing of this nature ſhould appear, they have (certainly, with great wiſdom in the conduct of it) thought fit to remove a troubleſome rub in their way, the law, to this end, (that they might undermine the very foundations of it) a new power hath been aſſumed to interpret and declare laws without us by extemporary votes, without any caſe judicially before either houſe, (which is in effect the ſame thing as to make laws without us:) orders and ordinances made only by both houſes, (tending to a pure arbitrary power) were preſſed upon the people as laws, and their obedience required to them.

"Their next ſtep was, to erect an upſtart authority without us (in whom, and only in whom the laws of this realm have placed that power) to command the militia, (very conſiderable to this their deſign.) In farther order to it, they have wreſted from us our magazine and town of Hull, and abetted Sir John Hotham in his bold-faced treaſon. They have prepared, and directed to the people, unprecedented invectives againſt our government, thereby (as much as lay in their power) to weaken our

"juſt

" juſt authority and due eſteem among them; they have, 1642.
" as injuriouſly, as preſumptuouſly, (though we conceive
" by this time, impudence itſelf is aſhamed of it) attempted
" to caſt upon us aſperſions of an unheard-of nature, as if
" we had favoured a rebellion in our own bowels. They
" have likewiſe broached a new doctrine, that we are
" obliged to paſs all laws that ſhall be offered to us by both
" houſes, (however our own judgment and conſcience
" ſhall be unſatisfied with them) a point of policy as proper
" for their preſent buſineſs, as deſtructive to all our rights
" of parliament; and ſo with ſtrange ſhameleſſneſs will for-
" get a clauſe in law ſtill in force, made in the ſecond year
" of king Henry V. wherein both houſes of parliament do
" acknowledge, that it is of the king's regality to grant or
" deny ſuch of their petitions as pleaſeth himſelf. They
" have interpreted our neceſſary guard, legally aſſembled,
" for the defence of us and our childrens perſons, againſt
" a traitor in open rebellion againſt us [1], to be with intent
" to levy war againſt the parliament, (the thought whereof
" our very ſoul abhorreth) thereby to render us odious to
" our people.

" They have ſo awed our good ſubjects with purſevants,
" long chargeable attendances, heavy cenſures, and illegal
" impriſonments, that few of them durſt offer to preſent
" their tenderneſs of our ſufferings, their own juſt grie-
" vances; and their ſenſe of thoſe violations of the law, (the
" birth-right of every ſubject in this kingdom) tho' in an
" humble petition directed to both houſes; and if any did,
" it was ſtifled in the birth, called ſedition, and burnt by
" the common hangman.

" They have reſtrained the attendance of our ordinary
" and neceſſary houſhold ſervants [2], and ſeized upon thoſe
" ſmall ſums of money, which our credit had provided to
" buy us bread, with injunctions that none ſhould be ſuf-
" fered to be conveyed, or returned to us, to York, or any
" of our peers or ſervants with us; ſo that (in effect) they
" have blocked us up in that county.

" They have filled the ears of the people with the noiſe
" of fears and jealouſies, (though taken up upon truſt) tales
" of ſkippers, ſalt-fleets, and ſuch like, by which alarms
" they might prepare them to receive ſuch impreſſions as
" might beſt advance this deſign when it ſhould be ripe.
" And now it ſeems they think we are ſufficiently prepared
" for theſe bitter pills. We are in a handſome poſture to

[1] Sir John Hotham. Rapin. [2] The earls of Eſſex and Holland. Id.

1642. "receive theſe humble deſires (which probably are intended "to make way for a ſuperfetation of a (yet) higher nature "if we had not made this diſcovery to you) for they do not "tell us this is all. In them we muſt obſerve, that theſe "contrivers (the better to advance their true ends) diſguiſed "as much as they could their intents, with a mixture of "ſome things really to be approved by every honeſt man; "others, ſpecious and popular; and ſome which are al-"ready granted by us, all which are cunningly twiſted and "mixed, with thoſe other things of their main deſign of "ambition and private intereſt; in hope, that at the firſt "view, every eye may not ſo clearly diſcern them in their "proper colours.

"We would not be underſtood, that we intend to fix "this deſign upon both or either houſe of parliament: we "utterly profeſs againſt it, being moſt confident of the loy-"alty, good affection, and integrity of the intentions of "that great body; and knowing well, that very many of "both houſes were abſent, and many diſſented from all "thoſe particulars we complain of; but we do believe, and "accordingly profeſs to all the world, that the malignity "of this deſign (as dangerous to the laws of this kingdom, "the peace of the ſame, and the liberties of all our good "ſubjects, as to ourſelf and our juſt prerogative) hath pro-"ceeded from the ſubtle informations, miſchievous practices, "and evil counſels of ambitious turbulent ſpirits, diſaffected "to God's true religion, and the unity of the profeſſors "thereof, our honour and ſafety, and the publick peace "and proſperity of our people, not without a ſtrong in-"fluence upon the very actions of both houſes. But how "faulty ſoever others are, we ſhall (with God's aſſiſtance) "endeavour to diſcharge our duty with uprightneſs of heart; "and therefore, ſince theſe propoſitions come to us in the "name of both houſes of parliament, we ſhall take a more "particular notice of every of them.

"If the 1ſt, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 16th, "19th demands, had been writ and printed in a tongue "unknown to us and our people, it might have been poſſi-"ble we and they might have charitably believed the pro-"poſitions to be ſuch, as might have been in order to the "ends pretended in the petition (to wit) the eſtabliſhing of "our honour and ſafety, the welfare and ſecurity of our "ſubjects and dominions, and the removing thoſe jealouſies "and differences, which are ſaid to have unhappily fallen "betwixt us and our people, and procuring both us and

"them

" them a conſtant courſe of honour, peace, and happineſs: 1642.
" but being read and underſtood by all, we cannot but aſ-
" ſure ourſelf, that this profeſſion, joined to theſe propoſi-
" tions, will rather appear a mockery and a ſcorn, the
" demands being ſuch; as though we were unworthy of
" the truſt repoſed in us by the law, and of our deſcent
" from ſo many great and famous anceſtors, if we could be
" brought to abandon that power, which only can enable
" us to perform what we are ſworn to, in protecting our
" people and the laws, and ſo aſſume others into it, as to
" diveſt ourſelf of it, although not only our preſent condi-
" tion (which it can hardly be) were more neceſſitous than
" it is, and we were both vanquiſhed, and a priſoner, and
" in a worſe condition than ever the moſt unfortunate of
" our predeceſſors have been reduced to, by the moſt cri-
" minal of their ſubjects. And though the bait laid to
" draw us to it, and to keep our ſubjects from indignation
" at the mention of it, the promiſes of a plentiful and un-
" paralleled revenue were reduced from generals (which
" ſignify nothing) to clear and certain particulars; ſince
" ſuch a bargain would have but too great a reſemblance
" of that of Eſau's, if we ſhould part with ſuch flowers of
" a crown, as are worth all the reſt of the garland, and
" have been tranſmitted to us from ſo many anceſtors, and
" have been found ſo uſeful and neceſſary for the welfare
" and ſecurity of our ſubjects, for any preſent neceſſity, or
" for any low and ſordid conſiderations of wealth and gain.
" And therefore all men knowing that thoſe accommoda-
" tions are moſt eaſily made, and moſt exactly obſerved,
" that are grounded upon reaſonable and equal conditions,
" we have great cauſe to believe, that the contrivers of
" theſe had no intention of ſettling any firm accommoda-
" tion, but to increaſe thoſe jealouſies, and widen that di-
" viſion, which (not by our fault) is now unhappily fallen
" between us and both houſes.

" It is aſked, that all the lords and others of our privy-
" council, and ſuch (we know not what you mean by ſuch,
" but we have cauſe to think you mean all) great officers
" and miniſters of ſtate, either at home or beyond the ſeas,
" (for care is taken to leave out no perſon or place, that
" our diſhonour may be ſure not to be bounded within this
" kingdom, though no ſubtle inſinuations at ſuch a diſtance
" can probably be believed to have been the cauſe of our
" diſtractions and danger) ſhould be put from our privy-
" council, and from thoſe offices, and employments, unleſs

" they

1642. "they be approved by both houſes of parliament, how "faithful ſoever we have found them to us and the pub- "lick, and how far ſoever they have been from offending "againſt any law, the only rule they had, or any others "ought to have, to walk by. We therefore to this part "of this demand return you this anſwer, that we are will- "ing to grant, that they ſhall take a larger oath than your- "ſelves deſire in your 11th demand, for maintaining not of "any part, but of the whole law. (1.).

REMARK (1.) This is ſaid, becauſe in the whole body of the law were contained thoſe laws, which aſcribed to the king the prerogatives they had a mind to deprive him of.

"And we have and do aſſure you, that we will be care- "ful to make election of ſuch perſons in thoſe places of "truſt, as ſhall have given good teſtimony of their abilities "and integrities, and againſt whom there can be no juſt "cauſe of exception, whereon reaſonably to ground a diffi- "dence; that if we have or ſhall be miſtaken in our elec- "tion, we have and do aſſure you, that there is no man ſo "near to us in place or affection, whom we will not leave "to the juſtice of the law, if you ſhall bring a particular "charge and ſufficient proofs againſt him; and that we "have given you (the beſt pledge of the effects of ſuch a "promiſe on our part, and the beſt ſecurity for the per- "formance of their duty on theirs) a triennial parliament, "the apprehenſion of whoſe juſtice will, in all probability, "make them wary how they provoke it, as us wary how "we charge ſuch, as by the diſcovery of their faults may "in any degree ſeem to diſcredit our election, but that "without any ſhadow of a fault objected, only perhaps be- "cauſe they follow their conſciences, and preſerve the eſta- "bliſhed laws, and agree not in ſuch votes, or aſſent not "unto ſuch bills, as ſome perſons, who have now too "great an influence even upon both houſes, judge, or ſeem "to judge to be for the publick good, and as are agreeable "to that new *Utopia* of religion and government, into "which they endeavour to transform this kingdom. (2.).

REM. (2.) This alludes to Sir Thomas Moor's *Utopia*.

"For we remember what names, and for what reaſons, "you left out in the bill offered us concerning the militia, "which you had yourſelves recommended in the ordinance. "We will never conſent to the diſplacing of any, whom, "for their former merits from, and affection to us and the "publick, we have intruſted; ſince we conceive, that to "do ſo would take away both from the affection of our

" ſervants, the care of our ſervice, and the honour of our 1642.
" juſtice; and we the more wonder it ſhould be aſked by
" you of us, ſince it appears by the 12th demand, that you
" yourſelves count it reaſonable, after the preſent turn is
" ſerved, that the judges and officers who are then placed,
" may hold their places *quamdiu ſe bene geſſerint*; and we are
" reſolved to be as careful of thoſe we have choſen, as you
" are of thoſe you would chooſe, and to remove none till
" they appear to us to have otherwiſe behaved themſelves,
" or ſhall be evicted by legal proceedings to have done ſo.

" But this demand, as unreaſonable as it is, is but one
" link of a great chain, and but the firſt round of that lad-
" der, by which our juſt, ancient, regal power, is endea-
" voured to be fetched down to the ground. For it appears
" plainly, that it is not with the perſons now choſen, but
" with our chuſing, that you are diſpleaſed; for you de-
" mand, that the perſons put into the places and employ-
" ments of thoſe who ſhall be removed, may be approved
" by both houſes; which is ſo far (as to ſome at firſt ſight
" it may appear) from being leſs than the power of nomi-
" nation, that of two things (of which we will never grant
" either) we would ſooner be content, that you ſhould no-
" minate, and we approve, than you approve, and we no-
" minate; the mere nomination being ſo far from being
" any thing, that if we could do no more, we would never
" take the pains to do that, when we ſhould only hazard
" thoſe whom we eſteemed, to the ſcorn of a refuſal, if
" they happened not to be agreeable, not only to the judg-
" ment, but to the paſſion, intereſt, or humour, of the
" preſent major part of either houſe.

" Not to ſpeak now of the great factions, animoſities,
" and diviſions, which this power would introduce in both
" houſes, between both houſes, and in the ſeveral counties,
" for the choice of perſons to be ſent to that place where
" that power was, and between thoſe perſons that were ſo
" choſen. Neither is this ſtrange potion preſcribed to us
" only for once, for the cure of a preſent preſſing deſperate
" diſeaſe, but for a diet to us and our poſterity: it is de-
" manded, that our counſellors, all chief officers, both of
" law and ſtate, commanders of forts and caſtles, and all
" peers hereafter made (as to voting, without which, how
" little is the reſt?) be approved of (that is, choſen) by
" them from time to time; and rather than it ſhould ever
" be left to the crown, (to whom it doth and ſhall belong)
" if any place fall void in the intermiſſion of parliament, the

" major

1642. "major part of the approved council is to approve them; "neither is it only demanded, that we ſhould quit the "power and right our predeceſſors have had, of appointing "perſons in theſe places, but for counſellors we are to be "reſtrained, as well in the number as in the perſons, and "a power muſt be annexed to theſe places, which their "predeceſſors had not; and indeed, if this power was paſſed "to them, it were not fit we ſhould be truſted to chuſe "thoſe who were to be truſted as much as we.

"It is demanded, that ſuch matters as concern the pub-"lick, and are proper for the high court of parliament, "(which is our great and ſupreme council) may be de-"bated, reſolved, and tranſacted, only in parliament, and "not elſewhere; and ſuch as preſume to do any thing to "the contrary, ſhall be reſerved to the cenſure and judg-"ment of the parliament; and ſuch other matters of ſtate, "as are proper for our privy council, ſhall be debated and "concluded, by ſuch of our nobility, (tho' indeed, if being "made by us, they may not vote without the conſent of "both houſes, we are rather to call them your nobility) "and others, as ſhall be from time to time choſen for that "place, by approbation of both houſes of parliament; and "that no publick act concerning the affairs of the kingdom, "which are proper for our privy council, may be eſteemed "of any validity, as proceeding from the royal authority, "unleſs it be done by the advice and conſent of the major "part of our council, atteſted under their hands; which "demands were of that nature, that to grant them, were "in effect, at once to depoſe both ourſelf, and our po-"ſterity.

"Theſe being paſt, we may be waited on bare-headed, "we may have our hand kiſſed, the ſtile of majeſty conti-"nued to us, and the king's authority declared by both "houſes of parliament, may be ſtill the ſtile of your com-"mands; we may have ſwords and maces carried before us, "and pleaſe ourſelf with the ſight of a crown and ſcepter; "(and yet even theſe twigs would not long flouriſh, when "the ſtock upon which they grew were dead) but as to "true and real power, we ſhould remain but the outſide, "but the picture, but the ſign of a king. We were "ever willing that our parliament ſhould debate, re-"ſolve, and tranſact, ſuch matters as are proper for them, "as far as they are proper for them, and we heartily "wiſh, that they would be as careful not to extend "their debates and reſolutions beyond what is proper

"to

" to them, that multitudes of things puniſhable, and 1642.
" cauſes determinable by the ordinary judicatures, may not
" be entertained in parliament, and ſo cauſe a long, charge-
" able, and fruitleſs attendance of our people, and (by de-
" grees) draw to you, as well all the cauſes, as all the
" faults, of Weſtminſter-hall, and divert your proper buſi-
" neſs: that the courſe of law be no ways diverted, much
" leſs diſturbed, as was actually done by the ſtop of the
" proceedings againſt a riot in Southwark, by order of the
" houſe of commons, in a time ſo riotous and tumultuous,
" as much increaſed the danger of popular inſolencies, by
" ſuch a countenance to riots, and diſcountenance of law:
" that you deſcend not to the leiſure of recommending
" lecturers to churches, nor aſcend to the legiſlative power,
" by commanding (the law not having yet commanded it)
" that they whom you recommend be received, although
" neither the parſon nor biſhop do approve of them; and
" that the refuſers (according to the courſe ſo much for-
" merly complained of to have been uſed at the council-
" table) be not ſent for to attend to ſhew cauſe at leaſt,
" that you would conſider conveniency, if not law, and
" recommend none but who are well known to you to be
" orthodox, learned, and moderate, or at leaſt ſuch as have
" taken orders, and are not notorious depravers of the book
" of common-prayer; a care which appeareth by the diſ-
" courſes, ſermons, and perſons of ſome recommended by
" you, not to have been hitherto taken; and it highly con-
" cerns both you in duty, and the common-wealth in the
" conſequences, that it ſhould have been taken: that nei-
" ther one eſtate tranſact what is proper for two, nor two
" what is proper for three; and conſequently, that (con-
" trary to our declared will) our forts may not be ſeized,
" our arms may not be removed, our monies may not be
" ſtopt, our legal directions may not be countermanded
" by you, nor we deſired to countermand them ourſelf; nor
" ſuch entrances made upon a real war againſt us, upon
" pretence of an imaginary war againſt you, and a chimera
" of neceſſity. So far do you paſs beyond your limits,
" whilſt you ſeem by your demand, to be ſtrangely ſtraitned
" within them; at leaſt we could have wiſhed, you would
" have expreſſed what matters you meant as fit to be tranſ-
" acted only in parliament, and what you meant by only
" in parliament.

" You have of late been perſuaded, by the new doctrine
" of ſome few, to think that proper for your debates, which

" hath

1642. " hath not uſed to be at all debated within thoſe walls, but
" been truſted wholly with our predeceſſors and us; and to
" tranſact thoſe things, which, without the regal authority,
" ſince there were kings of this kingdom, were never tranſ-
" acted: it therefore concerns us the more, that you ſpeak
" out, and that both we and our people may either know
" the bottom of your demands, or know them to be bot-
" tomleſs. What concerns more the public, and is more
" (indeed) proper for the high-court of parliament, than
" the making of laws, which not only ought there to be
" tranſacted, but can be tranſacted no where elſe? But
" then you muſt admit us to be a part of the parliament;
" you muſt not (as the ſenſe is of this part of the demand,
" if it have any) deny the freedom of our anſwer, when
" we have as much right to reject what we think unreaſon-
" able, as you have to propoſe what you think convenient
" or neceſſary: nor is it poſſible our anſwers, either to bills,
" or any other propoſitions, ſhould be wholly free, if we
" may not uſe the liberty of every one of you, and of every
" ſubject, to receive advice (without their danger who ſhall
" give it) from any perſon, known or unknown, ſworn or
" unſworn, in theſe matters, in which the manage of our
" vote is truſted by the law, to our own judgment and con-
" ſcience; which how beſt to inform, is (and ever ſhall be)
" left likewiſe to us: and moſt unreaſonable it were, that
" two eſtates propoſing ſomething to the third, that third
" ſhould be bound to take no advice, whether it were fit
" to paſs, but from thoſe two that did propoſe it. We
" ſhall ever in theſe things, which are truſted wholly to us
" by the law, not decline to hearken to the advice of our
" great council, and ſhall chuſe to hear willingly the free
" debates of our privy-council, (whenſoever we may be
" ſuffered to have them for ſending for, and they ſhall not
" be terrified from that freedom by votes, and brands of
" malignants and enemies to the ſtate, for adviſing what no
" law forbids to adviſe) but we will retain our power, of
" admitting no more to any council than the nature of the
" buſineſs requires, and of diſcourſing with whom we pleaſe,
" of what we pleaſe, and informing our underſtanding by
" debate with any perſons, who may be well able to inform
" and adviſe us in ſome particulars, though their qualities,
" education, or other abilities, may not make them ſo fit
" to be of our ſworn council; and not tie ourſelf up not to
" hear any more than twenty-five (and theſe not choſen
" abſolutely by us) out of a kingdom ſo repleniſhed with

" judicious

" judicious and experienced perſons of ſeveral kinds. And 1642.
" though we ſhall (with the proportionable conſideration
" due to them) always weigh the advices both of our great
" and privy-council, yet we ſhall alſo look upon their advices
" as advices, not as commands or impoſitions; upon them
" as our counſellors, not as our tutors and guardians; and
" upon ourſelf as their king, not as their pupil or ward:
" for whatſoever of regality were, by the modeſty of inter-
" pretation, left us, in the firſt part of the ſecond demand,
" as to the parliament, is taken from us in the ſecond part
" of the ſame, and placed in this new-fangled kind of coun-
" ſellors, whoſe power is ſuch, and ſo expreſſed by it, that
" in all public acts concerning the affairs of this kingdom,
" which are proper for our privy-council, (for whoſe advice
" all public acts are ſometimes proper, tho' never neceſſary)
" they are deſired to be admitted joint-patentees with us in
" the regality; and it is not plainly expreſſed, whether they
" mean us ſo much as a ſingle vote in theſe affairs; but it
" is plain, they mean us no more at moſt, than a ſingle
" vote in them, and no more power than every one of the
" reſt of our privy-counſellors only leave to us, out of their
" reſpect and duty, (and that only is left of all our ancient
" power) a choice, whether theſe that are thus to be joined
" with (or rather ſet over) us, ſhall be fifteen or twenty-
" five: and great care is taken, that the oath which theſe
" men ſhall take, ſhall be ſuch, in the framing the form of
" which (though ſure we are not wholly unconcerned in it)
" we may be wholly excluded, and that wholly reſerved to
" be agreed upon by both houſes of parliament.

" And to ſhew that no more care is taken of our ſafety,
" than of our power, after ſo great indignities offered to us,
" and countenanced by thoſe who were moſt obliged to
" reſent them: after our town and fort kept from us, (from
" which, if it were no otherwiſe ours, than the whole
" kingdom is, we can no more legally be kept out, than
" out of our whole kingdom, which ſure yourſelves will
" not deny to be treaſon) our arms, our goods ſent away,
" and our money ſtopped from us, our guards (in which
" we have no other intention, than to hinder the end of
" theſe things from being proportionable to their beginnings)
" are not only deſired to be diſmiſſed, before ſatisfaction for
" the injury, puniſhment of the injurers, and care taken
" for our future ſecurity from the like. But it is likewiſe
" deſired, (and for this, law is pretended, and might as well
" have been for the reſt, which yet with ſome ingenuity,

" are

1642. "are it ſeems acknowledged to be but deſires of grace) that "we ſhall not for the future raiſe any guards, or extraor- "dinary forces, but in caſe of actual rebellion or invaſion; "which if it had been law, and ſo obſerved in the time of "our predeceſſors, few of thoſe victories, which have made "theſe nations famous in other parts, could have been le- "gally atchieved: nor could our bleſſed predeceſſor queen "Elizabeth have ſo defended herſelf in eighty eight. And "if no forces muſt be levied till rebellions and invaſions "(which will not ſtay for the calling of parliaments, and "their conſent for raiſing of forces) be actual, they muſt "undoubtedly, (at leaſt moſt probably) be effectual and "prevalent.

"And as neither care is taken for our rights, honour nor "ſafety, as a prince; ſo our rights, as a private perſon, "are endeavoured to be had from us; it being aſked, that "it may be unlawful and puniſhable, not only to conclude, "but even to treat of any marriage with any perſon for our "own children, or to place governors about them, without "conſent of parliament; and in the intermiſſion of theſe, "without the conſent of our good lords of the council; "that we may not only be in a more deſpicable ſtate than "any of our predeceſſors, but in a meaner and viler con- "dition than the loweſt of our ſubjects, who value no li- "berty they have more, than that of the free education and "marriage of their children, from which we are aſked to "debar ourſelf; and have the more reaſon to take it ill that "we are ſo, becauſe of our choice of a governor for our "ſon, and a huſband for our daughter, (in which the pro- "teſtant religion was our principal conſideration) we con- "ceived we had reaſon to expect your preſent thanks, and "the increaſe of your future truſts.

"We ſuppoſe theſe demands by this time to appear ſuch, "as the demanders cannot be ſuppoſed to have any ſuch "real fear of us, as hath been long pretended; they are "too much in the ſtile, not only of equals, but of con- "querors; and as little to be intended for removing of jea- "louſies, (for which end they are ſaid to be aſked; and "that is not as merchants aſk at firſt, much more than they "will take, but as moſt neceſſary to effect it, which (if "they be) God help this poor kingdom, and thoſe who "are in the hands of ſuch perſons, whoſe jealouſies nothing "elſe will remove) which indeed is ſuch a way, as if there "being differences and ſuits between two perſons, whereof "one would have from the other ſeveral parcels of his an-

" cient land, he ſhould propoſe to him, by way of accom- 1642.
" modation, that he would quit to him all thoſe in queſtion,
" with the reſt of his eſtate, as the moſt neceſſary and
" effectual means to remove all thoſe ſuits and differences:
" but we call God to witneſs, that as for our ſubjects ſake
" theſe rights are veſted in us, ſo, for their ſakes, as well
" as for our own, we are reſolved not to quit them, nor to
" ſubvert (though in a parliamentary way) the ancient,
" equal, happy, well-poiſed, and never-enough commend-
" ed conſtitution of the government of this kingdom; nor
" to make ourſelf of a king of England, a duke of Venice,
" and this of a kingdom, a republic.

" There being three kinds of government among men,
" abſolute monarchy, ariſtocracy, and democracy; and all
" theſe having their particular conveniencies and inconve-
" niencies; the experience and wiſdom of our anceſtors,
" hath ſo moulded this out of a mixture of theſe, as to give
" to this kingdom (as far as human prudence can provide)
" the conveniencies of all three, without the inconvenien-
" cies of any one, as long as the balance hangs even be-
" tween the three eſtates, and they run jointly on in their
" proper channel, (begetting verdure and fertility in the
" meadows on both ſides) and the overflowing of either on
" either ſide, raiſe no deluge or inundation. The ill of
" abſolute monarchy, is tyranny; the ill of ariſtocracy, is
" faction and diviſion; the ills of democracy, are tumults,
" violence, and licentiouſneſs. The good of monarchy, is
" the uniting a nation under one head, to reſiſt invaſion
" from abroad, and inſurrection at home: the good of
" ariſtocracy, is the conjunction of council in the ableſt
" perſons of a ſtate for the public benefit: the good of de-
" mocracy, is liberty, and the courage and induſtry which
" liberty begets.

" In this kingdom, the laws are jointly made by a
" king, by a houſe of peers, and by a houſe of commons,
" choſen by the people, all having free votes and parti-
" cular privileges. The government, according to theſe
" laws, is truſted to the king; power of treaties, of war,
" and peace, of making peers, of chuſing officers and
" counſellors for ſtate, judges for law, commanders for
" forts and caſtles; giving commiſſions for raiſing men;
" to make war abroad, or to prevent or provide againſt
" invaſions or inſurrections at home; benefit of confiſca-
" tions, power of pardoning, and ſome more of the like
" kind are placed in the king. And this kind of regulated

1642. " monarchy, having this power to preſerve that authori-
" ty, without which it would be diſabled to preſerve the
" laws in their force, and the ſubjects in their liberties
" and properties, is intended to draw to him ſuch a reſpect
" and relation from the great ones, as may hinder the ills
" of diviſion and faction; and ſuch a fear and reverence
" from the people, as may hinder tumults, violence, and
" licentiouſneſs.

" Again, That the prince may not make uſe of this high
" and perpetual power to the hurt of thoſe for whoſe good
" he hath it; and make uſe of the name of *public neceſſity*,
" for the gain of his private favourites and followers, to the
" detriment of his people, the houſe of commons, (an
" excellent conſerver of liberty, but never intended for any
" ſhare in government, or the chuſing of them that ſhould
" govern) is ſolely intruſted with the firſt propoſitions con-
" cerning the levies of monies, (which is the ſinews as well
" of peace as of war) and the impeaching of thoſe, who
" for their own ends, though countenanced by any ſurrep-
" titiouſly-gotten command of the king, have violated that
" law, which he is bound (when he knows it) to protect;
" and to the proſecution of which they were bound to ad-
" viſe him, at leaſt not to ſerve him in the contrary." And
" the lords being truſted with a judicatory power, are an
" excellent ſkreen and bank between the prince and people,
" to aſſiſt each againſt any incroachments of the other;
" and by juſt judgments to preſerve that law, which ought
" to be the rule of every one of the three. For the better
" enabling them in this, beyond the examples of any of
" our anceſtors, we were willingly contented to oblige our-
" ſelf, both to call a parliament every three years, and not
" to diſſolve it in fifty days: and for the preſent exigent,
" the better to raiſe money, and to avoid the preſſure, (no
" leſs grievous to us than them) our people muſt have ſuf-
" fered by a longer continuance of ſo vaſt a charge as two
" great armies; and for, their greater certainty of having
" ſufficient time to remedy the inconveniencies ariſen, du-
" ring ſo long an abſence of parliaments, and for the pu-
" niſhment of the cauſers and miniſters of them, we yielded
" up our right of diſſolving this parliament, expecting an
" extraordinary moderation from it, in gratitude for ſo un-
" exampled a grace, and little looking that any malignant
" party ſhould be encouraged, or enabled to have perſuaded
" them, firſt, to countenance the injuſtices and indignities
" we have endured, and then by a new way of ſatisfaction

" for

" for what was taken from us, to demand of us at once to 1642.
" confirm what was ſo taken, and to give up almoſt all the
" reſt.

" Since therefore the power, legally placed in both houſes,
" is more than ſufficient to prevent and reſtrain the power
" of tyranny; and without the power, which is now aſked
" from us, we ſhall not be able to diſcharge that truſt,
" which is the end of monarchy, ſince this would be a
" total ſubverſion of the fundamental laws, and that excel-
" lent conſtitution of this kingdom, which hath made this
" nation, ſo many years, both famous and happy to a great
" degree of envy; ſince to the power of puniſhing, (which
" is already in your hands according to law) if the power
" of preferring be added, we ſhall have nothing left for us
" but to look on, ſince the incroaching of one of theſe
" eſtates upon the power of the other, is unhappy in the
" effects, both to them and all the reſt; ſince this power,
" of at moſt a joint government in us with our counſellors
" (or rather our guardians) will return us to the worſt
" kind of minority, and make us deſpicable both at home
" and abroad, and beget eternal factions and diſſenſions (as
" deſtructive to public happineſs as war) both in the choſen,
" and in the houſes that choſe them, and the people who
" choſe the chuſers; ſince ſo new a power will undoubtedly
" intoxicate perſons who were not born to it, and beget
" not only diviſions among them as equals, but in them
" contempt of us, as become an equal to them, and inſo-
" lence and injuſtice toward our people, and now ſo much
" their inferior, which ſhall be the more grievous unto
" them, as ſuffering from thoſe who were ſo lately of a
" nearer degree to themſelves: and being to have redreſs
" only from thoſe that placed them; and fearing they may
" be inclined to preſerve what they have made, both out of
" kindneſs and policy, ſince all great changes are extremely
" inconvenient, and almoſt infallibly beget yet greater
" changes, which beget yet greater inconveniencies.

" Since as great an one in the church muſt follow this
" of the kingdom; ſince the ſecond eſtate would in all
" probability follow the fate of the firſt, and by ſome of the
" turbulent ſpirits, jealouſies would ſoon be raiſed againſt
" them, and the like propoſitions for reconciliation of dif-
" ferences would be then ſent to them, as they now have
" joined to ſend to us, till (all power being veſted in the
" houſe of commons, and their number making them in-
" capable of tranſacting affairs of ſtate with the neceſſary

1642. " ſervice and expedition, thoſe being re-truſted to ſome
" cloſe committee) at laſt the common people (who in the
" mean time muſt be flattered, and to whom licence muſt
" be given in all their wild humours, how contrary ſoever
" to eſtabliſhed law, or their own real good) diſcover this
" *Arcanum imperii*, That all this was done by them, but
" not for them; and grow weary of journey-work, and
" ſet up for themſelves, call parity and independence liber-
" ty; devour that eſtate which had devoured the reſt; de-
" ſtroy all rights and properties, all diſtinctions of families
" and merit; and by this means this ſplendid and excel-
" lently diſtinguiſhed form of government, end in a dark
" equal chaos of confuſion, and the long line of our many
" noble anceſtors in a Jack Cade, or a Wat Tyler.

" For all theſe reaſons, to all theſe demands our anſwer
" is, *Nolumus Leges Angliæ mutari:* but this we promiſe,
" that we will be as careful of preſerving the laws, in what
" is ſuppoſed to concern wholly our ſubjects, as in what
" moſt concerns ourſelf: for indeed we profeſs to believe,
" that the preſervation of every law concerns us, thoſe of
" obedience being not ſecure, when thoſe of protection are
" violated; and we being, moſt of any, injured in the leaſt
" violation of that, by which we enjoy the higheſt rights,
" and greateſt benefits, and are therefore obliged to defend
" no leſs by our intereſt, than by our duty, and hope that
" no jealouſies to the contrary ſhall be any longer nouriſhed
" in any of our good people, by the ſubtle inſinuations,
" and ſecret practices of men, who, for private ends, are
" diſaffected to our honour and ſafety, and the peace and
" proſperity of our people. And to ſhew you, that no juſt
" indignation at ſo reproachful offers, ſhall make us refuſe
" to grant what is probable to conduce to the good of our
" good people, becauſe of the ill company it comes in,
" we will ſearch carefully in this heap of unreaſonable de-
" mands, for ſo much as we may (complying with our
" conſcience, and the duty of our truſt) aſſent unto, and
" ſhall accordingly agree to it.

" In purſuance of which ſearch in the fourth propoſition,
" under a demand, which would take from us that truſt,
" which God, nature, and the laws of the land have placed
" in us, and of which none of you could endure to be de-
" prived, we find ſomething to which we give this anſwer,
" That we have committed the principal places about our
" children to perſons of quality, integrity, and piety, with
" ſpecial regard that their tender years might be ſo ſeaſoned

" with

" with the principles of the true proteſtant religion, as (by 1642.
" the bleſſing of God upon this our care) this whole king-
" dom may in due time reap the fruits thereof: and as we
" have been likewiſe very careful in the choice of ſervants
" about them, that none of them may be ſuch, as by ill
" principles, or by ill examples, to croſs our endeavours
" for their pious and virtuous education; ſo if there ſhall
" be found (for all our care to prevent it) any perſon about
" our children, (or about us, which is more than you aſk)
" againſt whom both houſes ſhall make appear to us any
" juſt exception, we ſhall not only remove them, but thank
" you for the information; only we ſhall expect that you
" ſhall be likewiſe careful, that there be no underhand-
" dealing by any, to ſeek faults, to make room for others
" to ſucceed in their places.

" For the fifth demand, as we will not ſuffer any to ſhare
" with us in our power of treaties, which are moſt impro-
" per for parliaments, and leaſt of all in thoſe treaties in
" which we are neareſt concerned, not only as a king, but
" as a father; yet we do (ſuch is our deſire to give all rea-
" ſonable ſatisfaction) aſſure you by the word of a king,
" that we ſhall never propoſe or entertain any treaty what-
" ſoever for the marriage of any of our children, without
" due regard to the true proteſtant profeſſion, the good of
" our kingdom, and the honour of our family.

" For the ſixth demand, concerning the laws in force
" againſt jeſuits, prieſts, and popiſh recuſants, we have, by
" many of our meſſages to you, by our voluntary promiſes
" to you ſo ſolemnly made, never to pardon any popiſh prieſt,
" by our ſtrict proclamations lately publiſhed in this point,
" and by the public examples which we have made in that
" caſe ſince our reſidence at York, and before at London,
" ſufficiently expreſſed our zeal herein. Why do you then
" aſk that in which our own inclination hath prevented
" you? And if you can yet find any more effectual courſe
" to diſable them from diſturbing the ſtate, or eluding the
" law by truſt, or otherwiſe, we ſhall willingly give our
" conſent to it.

" For the ſeventh demand, concerning the votes of the
" popiſh lords; we underſtand, that they in diſcretion have
" withdrawn themſelves from the ſervice of the houſe of
" peers, (and had done ſo when uſe was publickly made of
" their names to aſperſe the votes of that houſe, which was
" then counted as malignant as thoſe, who are called our
" unknown and unſworn counſellors, are now;) neither

1642. " do we conceive, that ſuch a poſitive law againſt the votes
" of any whoſe blood gives them that right, is ſo proper in
" regard of the privilege of parliament, but are content,
" that ſo long as they ſhall not be conformable to the
" doctrine and diſcipline of the church of England, they
" ſhall not be admitted to ſit in the houſe of peers, but only
" to give their proxies to ſuch proteſtant lords as they ſhall
" chooſe, who are to diſpoſe of them as they themſelves
" ſhall think fit, without any reference at all to the giver.

" As to the deſires for a bill for the education of papiſts
" by proteſtants in the proteſtant profeſſion, many about us
" can witneſs with us, that we have often delivered our
" opinion, that ſuch a courſe (with God's bleſſing upon it)
" would be the moſt effectual for the rooting popery out of
" this kingdom; we ſhall therefore thank you for it, and
" encourage you in it, and when it comes unto us, do our
" duty: and we heartily wiſh for the public good, that the
" time you have ſpent in making ordinances without us,
" had been employed in preparing this and other good bills
" for us.

" For the eighth, touching the reformation to be made
" of the church-government and liturgy, we had hoped,
" that what we had formerly declared concerning the ſame,
" had been ſo ſufficiently underſtood by you, and all good
" ſubjects, that we ſhould not need to have expreſſed our-
" ſelf further in it. We told you in our anſwer to your
" petition, preſented to us at Hampton-court the firſt of
" December, that for any illegal innovations which may
" have crept in, we ſhould willingly concur in the removal
" of them; and if our parliament ſhould adviſe us to call
" a national ſynod, which may duly examine ſuch ceremo-
" nies as give juſt cauſe of offence to any, we ſhould take
" it into conſideration, and apply ourſelf to give due ſatis-
" faction therein; that we were perſuaded in our conſcience,
" that no church could be found upon the earth, that pro-
" feſſeth the true religion with more purity of doctrine than
" the church of England doth, nor where the government
" and diſcipline are jointly more beautified, and free from
" ſuperſtition, than as they are here eſtabliſhed by law:
" which (by the grace of God) we will with conſtancy
" maintain (while we live) in their purity and glory, not
" only againſt all invaſions of popery, but alſo from the
" irreverence of thoſe many ſchiſmaticks and ſeparatiſts,
" wherewith of late this kingdom, and our city of London
" abounds, to the great diſhonour and hazard both of

" church

" church and ſtate, for the ſuppreſſion of whom we required 1642.
" your timely and active aſſiſtance. We told you in our
" firſt declaration, printed by the advice of our privy-council,
" *That for differences amongſt ourſelves for matters indifferent*
" *in their own nature concerning religion, we ſhould, in tender-*
" *neſs to any number of our loving ſubjects, very willingly com-*
" *ply with the advice of our parliament, that ſome law might*
" *be made for the exemption of tender conſciences from puniſh-*
" *ment, or proſecution for ſuch ceremonies, and in ſuch caſes,*
" *which by the judgment of moſt men are held to be matters in-*
" *different, and of ſome to be abſolutely unlawful; provided*
" *that this caſe ſhould be attempted and purſued with that mo-*
" *deſty, temper, and ſubmiſſion, that in the mean time the*
" *peace and quiet of the kingdom be not diſturbed, the decency*
" *and comelineſs of God's ſervice diſcountenanced, nor the pious,*
" *ſober, devout actions of thoſe reverend perſons who were the*
" *firſt labourers in the bleſſed reformation, or of that time, be*
" *ſcandaliſed and defamed.* And we heartily wiſh, that others
" whom it concerned, had been as ready as their duty
" bound them, though they had not received it from us, to
" have purſued this caution, as we were, and ſtill are will-
" ing and ready to make good every particular of that pro-
" miſe. Nor did we only appear willing to join in ſo good
" a work, when it ſhould be brought us, but preſſed and
" urged you to it by our meſſage of the 14th of February,
" in theſe words: *And becauſe his majeſty obſerves great and*
" *different troubles to ariſe in the hearts of people, concerning*
" *the government and liturgy of the church, his majeſty is*
" *willing to declare, that he will refer the whole conſideration*
" *to the wiſdom of his parliament, which he deſires them to*
" *enter into ſpeedily, that the preſent diſtractions about the ſame*
" *may be compoſed; but deſires not to be preſſed to any ſingle act on*
" *his part till the whole be ſo digeſted and ſettled by both houſes,*
" *that his majeſty may clearly ſee what is fit to be left, as well*
" *as what is fit to be taken away:* of which we the more
" hoped of a good ſucceſs to the general ſatisfaction of our
" people, becauſe you ſeem in this propoſition to deſire but
" a reformation, and not, as is daily preached for as ne-
" ceſſary in thoſe many conventicles, which have within
" theſe nineteen months begun to ſwarm, and which, tho'
" their leaders differ from you in this opinion, yet appear
" to many as countenanced by you, by not being puniſhed
" by you (few elſe, by reaſon of the order of the houſe of
" commons of the 9th of September, daring to do it) a
" deſtruction of the preſent diſcipline and liturgy. And

1642. " we ſhall moſt chearfully give our beſt aſſiſtance for raiſing
" a ſufficient maintenance for preaching miniſters, in ſuch
" courſe as ſhall be moſt for the encouragement and ad-
" vancement of piety and learning.

" For the bills you mention, and the conſultation you
" intimate, knowing nothing of the particular matters of
" the one (though we like the titles well) nor of the man-
" ner of the other, but from an informer (to whom we
" give little credit, and we wiſh no man did more) common
" fame, we can ſay nothing till we ſee them.

" For the eleventh, we would not have the oath of all
" privy-counſellors and judges ſtraitned to particular ſtatutes
" of one or two particular parliaments, but extend to all
" ſtatutes of all parliaments, and the whole law of the
" land; and ſhall willingly conſent, that an inquiry of all
" the breaches and violations of the law may be given in
" charge by the juſtices of the King's-bench every term,
" and by the judges of aſſize in their circuits, and juſtices
" of the peace at the ſeſſions, to be preſented and puniſhed
" according to law.

" For the ſeventeenth, we ſhall ever be moſt ready, (and
" we are ſorry it ſhould be thought needful to move us in
" it) not only to join with any (particularly with the States
" of the United Provinces, of which we have given a late
" proof in the match of our daughter) for the defence and
" maintenance of the proteſtant religion againſt all deſigns
" and attempts of the pope and his adherents; but ſingly
" (if need were) to oppoſe with our life and fortune all
" ſuch deſigns in all other nations, were they joined: and
" that for conſiderations of conſcience, far more than any
" temporal end of obtaining acceſs of ſtrength and reputa-
" tion, or any natural end of reſtoring our royal ſiſter and
" her princely iſſue to their dignities and dominions, tho'
" theſe be likewiſe much conſidered by us.

" For the eighteenth, it was not our fault that an act
" was not paſſed to clear the lord Kimbolton, and the five
" members of the houſe of commons, but yours, who in-
" ſerted clauſes into both the preamble and act, (perhaps
" perſuaded to it by ſome who wiſh not that you ſhould in
" any thing receive ſatisfaction from us) as by paſſing the
" preamble, we muſt have wounded our honour againſt
" our conſcience, and by another clauſe have admitted a
" conſequence, from which we could never have been ſe-
" cured, by declaring, that no member of either houſe,
" upon any acculation of treaſon, could have his perſon

" ſeized

" ſeized without the conſent of that houſe of which he is " a member; though the known law be, *That privilege of* " *parliament extends not to treaſon*; and if it did, any mem- " ber (the houſe being for a ſhort time adjourned, and ſo " their conſent not being ſo had) how treaſonable ſoever " his intention were, how clearly ſoever known, and how " ſuddenly ſoever to be executed, muſt have fair leave given " him to go on and purſue them; no way, how legal " ſoever, after the paſſing ſuch a clauſe, being left to pre- " vent it." (3.) 1642.

REM. (3.) The king, in ſhewing the inconveniencies of this clauſe, lays down a caſe different from that of the ſix members accuſed. For he ſuppoſes, to demonſtrate theſe inconveniencies, that the treaſon is manifeſt, and juſt going to be executed. Whereas the difference between the king and the parliament conſiſted, in that the parliament deſired to ſee the proofs, before they conſented to the proſecution of their members. Beſides, this maxim, that the privileges of parliament extend not to treaſonable caſes, is very ambiguous. For it may ſignify, either that in caſe of real, manifeſt, or apparent treaſon, the members of parliament have no more privilege than the reſt of the ſubjects, or elſe that by a bare accuſation of treaſon, true or falſe, a member may be committed to priſon like any other private perſon. The king took it, and would have it taken, in this laſt ſenſe, but the parliament would admit it only in the firſt. But that the king's ſenſe was wrong, evidently appears, in that when, for inſtance, a peer is accuſed of treaſon, he is not ſent to the Tower, according to the uſual courſe of juſtice, as a private perſon would be, but by order of his houſe, which thinks proper to conſent to his proſecution. Without this conſent, the king cannot ſend him to the Tower by his own authority, and upon a bare accuſation. In ſhort, no leſs inconveniencies would attend the king's ſenſe, ſince in that caſe the king, upon bare accuſations, true or falſe, might impriſon all the principal members of both houſes.

" To conclude, we conjure you, and all men, to reſt ſa- " tisfied with the truth of our profeſſions, and the reality " of our intentions, not to aſk ſuch things as deny them- " ſelves; that you declare againſt tumults and puniſh the " authors; that you allow us our propriety in our towns, " arms, and goods, and our ſhare in the legiſlative power, " which would be counted in us not only breach of privi- " lege, but tyranny and ſubverſion of parliaments, to deny

1642. " to you. And when you ſhall have given us ſatisfaction
" upon thoſe perſons who have taken away the one, and
" recalled thoſe declarations (particularly that of the 26th
" of May) and thoſe in the point of the militia (our juſt
" rights, wherein we will no more part with than with
" our crown, leſt we enable others by that to take that
" from us) which would take away the other, and declined
" the beginnings of a war againſt us, under pretence of
" our intention of making one againſt you; as we have
" never oppoſed the firſt part of the thirteenth demand, ſo
" we ſhall be ready to concur with you in the latter.

" And being then confident, that the credit of thoſe men,
" who deſire a general combuſtion, will be ſo weakened
" with you, that they will not be able to do this kingdom
" any more harm, we ſhall be willing to grant our general
" pardon, with ſuch exceptions as ſhall be thought fit, and
" ſhall receive much more joy in the hope of a full and
" conſtant happineſs of our people in the true religion, and
" under the protection of the law, by a bleſſed union be-
" tween us and our parliament (ſo much deſired by us)
" than any ſuch increaſe of our revenue, (how much ſo-
" ever beyond former grants) as (when our ſubjects were
" wealthieſt) our parliament could have ſettled upon us."

I ſhall make but one general remark upon this anſwer of the king, and which to me ſeems abſolutely neceſſary, namely, that all the beginning, which includes two thirds, is entirely needleſs, ſince the king treats not of the point in diſpute between him and the parliament. The queſtion was not to know, whether the laws aſcribed ſuch and ſuch power to the king, but to know, whether the king having abuſed this power, his promiſe, that he would govern according to the law of the land, was to be depended upon for the future. The king throughout the beginning of his anſwer, ſuppoſes an ignorance of what is due to a king of England, or a cauſeleſs denial of the ſame. As to the firſt point, he pretends to acquaint the publick with the nature of the Engliſh conſtitution, which was very needleſs, ſince no body diſagreed with him. He keeps to the general poſition acknowledged by all the world, but ſays not a word to the particular queſtion, which was the ſole ſubject of the diſpute. As to the ſecond point, he does not deny that he had abuſed his power, but makes no other anſwer to the conſequence drawn by the parliament from this abuſe, than that he promiſes to behave better for the future.

It

It is eaſy to ſee, that neither the parliament's propoſi- 1642.
tions, nor the king's anſwer, were proper to beget an accommodation. Accordingly, it may be affirmed, that neither ſide thought of any ſuch thing. When the king publiſhed his anſwer, he had received ſome arms, ammunition, and pieces of ordnance from Holland, and beſides that, was preparing to beſiege Hull. Though great part of the arms were now removed to London, he hoped ſtill to find there ſufficient for his moſt urgent occaſions. Moreover, this place, which was one of the ſtrongeſt in the kingdom, could be of great ſervice to him, to keep the adjacent country in his intereſt.

The motives of the preſbyterians in the rupture.

On the other hand, the preſbyterian party, who then prevailed in the parliament, had almoſt attained their deſire, that is, had brought things to a rupture, which gave them room to hope, they ſhould quickly have opportunity to accompliſh the reſt of their project. Indeed, this rupture between the king and the parliament being ſuppoſed, it was manifeſt, the kingdom was to be governed by the parliament and the king, ſeparately, and not jointly, as before, that is, they would each govern thoſe of their party; in which caſe, the parliament would have no more occaſion for the king's conſent, who would be looked upon as an enemy, and conſequently, they might ordain whatever they pleaſed, without any oppoſition. This was preciſely the point to which all the proceedings of the preſbyterian party had tended, without their diſcovering themſelves however, any more than was neceſſary to ſupport the expectations of their adherents. For till now it highly concerned them to make the publick, and the members who were not of their ſide believe, that they acted in conjunction with the other members, only with the view of vindicating the common liberty, againſt the incroachments of the king.

Double views of the preſbyterians.

It is certain, that from the beginning, there was in this parliament, a preſbyterian party, whoſe aim was to alter the church-government. But that this was the ſole aim of the preſbyterians, as many aſſert, is what does not to me appear evident. Why might not theſe men, in ſtriving to erect their diſcipline upon the ruins of the church, have another end, I mean, the prevention of the king's and his party's incroachments upon the publick liberty? There were, certainly, in this very parliament, members who were very far from being preſbyterians, and yet had the ſame end; Why might not the preſbyterians have it too, jointly with that which was peculiar to them? Is it ſo uncommon

1642. common a thing, to see people propose to themselves two different ends, in one and the same undertaking? I confess, I do not see the improbability of such a supposition. The presbyterian party therefore must be considered as acting with those two views, and this is so true, that undeniable proofs of it will appear in the sequel of this reign. But their enemies have been pleased to ascribe to them the first only, in order to charge them with putting the kingdom in a flame, for the sake of establishing the presbyterian government in the church. I do not deny, that this motive contributed very much to it. But it does not follow, that the reasons on which the parliament refused to confide in the king, were frivolous. The contrary may be rather inferred. For if these reasons had not been plausible, the presbyterians would never have been able to execute their projects, and form so strong a party in a kingdom, where, at the beginning of this parliament, they made so inconsiderable a figure. But they politickly made use of the general discontent, which actually subsisted, to bring matters to the point they desired. They cannot be said to have caused this universal discontent, though it is certain, they helped to inflame it, because it was necessary to their views.

Order of the house concerning the sale of the crown jewels. Rushworth, IV. p. 736. June 2.

The parliament having received advice from Holland, that the queen had pawned or sold some of the crown-jewels at Amsterdam, published the 2d of June an order, declaring, that whosoever was concerned in the selling or pawning these jewels, or in the bringing any money to the king, by way of bill of exchange, or otherwise, should be accounted an enemy to the state. But the queen had already laid out the money in purchasing arms and ammunition, which she had conveyed to the king, in a small ship called *the Providence*, which, the very day the parliament published this order, safely arrived in Burlington-bay, after having been warmly pursued by part of the parliament's fleet, commanded by the earl of Warwick [1].

The king receives arms from Holland. Rushworth, IV. p. 601. Clarendon, T. I. p. 497, 520, 521.

The king orders his party to leave the parliament.

Some time before the king, finding a war unavoidable, had ordered his friends in both houses, to absent themselves from the parliament. He hoped, by lessening so considerably the number of the members, to lessen the credit of the parliament. But this policy turned not to his advantage. It

[1] The Providence ran ashore upon Holderness coast in Kenningham-creek. There were on board of her, sixteen pieces of ordnance, and great store of arms and ammunition. Rushworth, Tom. IV. p. 601. Two or three thousand arms, and two hundred barrels of gun-powder, says lord Clarendon, Tom. I. p. 521.

It is true, both houſes were conſiderably leſſened in number. But withal, the king's party there grew ſo weak that they could no longer oppoſe the reſolutions taken againſt the king. Though the two houſes were not ſorry to be rid of theſe ſpies, they believed however, it was neceſſary to take ſome meaſures, either to hinder a greater deſertion, or to convince the people, it was not their fault if the parliament was not ſo numerous as hitherto. The commons therefore ordered all the ſheriffs of the kingdom, to give notice to the repreſentatives, to attend the houſe by the 16th of June, on the forfeiture of one hundred pounds, to be employed in the wars in Ireland, and on pain of undergoing ſuch farther puniſhment as the houſe ſhould think fit. 1642.

Precautions of the commons. Ruſhworth, IV. p. 736.

But the lords went ſtill farther, for they ordered nine of their members [1], who had repaired to the king at York, to appear at the bar the 8th of June as delinquents. Theſe nine lords having ſent their excuſe by a letter, the commons forthwith prepared an impeachment againſt them, and ſent it up to the lords. The 27th of the ſame month [2], the peers pronounced ſentence againſt the nine lords, declaring, they ſhould neither ſit or vote in the houſe during the preſent parliament, and ſhould ſtand committed to the Tower during the pleaſure of the houſe.

Severity of the peers againſt nine abſent lords. July 20. Ruſhworth, IV. p. 737, ——742. Clarendon, T. I. p. 503.

Theſe were little preludes to the war which was going to be kindled. But the 10th of June, both houſes gave a more evident proof of their deſign; for upon receiving advice, that the king was actually giving out commiſſions to levy forces, they publiſhed propoſals for the bringing in of money or plate, at eight *per cent*, for the defence of the kingdom [3]. This is what the king's friends will have to be conſidered as the firſt declaration of war on the parliament's ſide, and pretend thereby to ſhew, that both houſes were the aggreſſors. But it is certain, the king, long before, had taken meaſures to prepare for war, and there is no doubt the parliament had done the ſame, tho' perhaps more ſecretly than the king. Be this as it will, after having

The parliament takes up money upon loans. June 10. Ruſhworth, IV. p. 743. Clarendon, T. I. p. 503. T. Mayo. Manley.

[1] Spencer Compton, earl of Northampton, William Cavendiſh, earl of Devonſhire, Robert Cary, earl of Monmouth, and Henry Cary, earl of Dover; and Robert lord Rich, Charles Howard, lord Andover, Charles lord Grey of Ruthen, Thomas lord Coventry, and Arthur lord Capel. Ruſhworth, Tom. IV. p. 737. [2] On the 20th of July, Ruſhworth, Tom. IV. p. 742.

[3] They pretended, that their deſign was only to maintain the proteſtant religion, the king's authority and perſon in his royal dignity, the free courſe of juſtice, the laws of the land, the peace of the kingdom, and privileges of the parliament. Ruſhworth, Tom. IV. p. 745, 747. So ready were the people to comply with the parliament's propoſals, that the ſums brought in, including plate, &c. amounted to above eleven millions. Dugdale's View, p. 96.

1642. ing ſeen what were the true grounds and cauſes of the war, it ſeems of little moment to know, which of the two parties firſt diſcovered the meaſures taken to attack or defend. For that at moſt is the meaning of the queſtion, *Which of the parties began the war?*

The king's letter to the mayor of London. June 14. Ruſhworth, IV. p. 746.

The king having notice of what the parliament had done for the ſpeedy raiſing of money, writ to the lord-mayor of London, commanding him to publiſh his letter, wherein he forbid the citizens to lend any money to both houſes. This letter occaſioned their publiſhing a declaration, the aim whereof was to ſhew the people, that the parliament was under an abſolute neceſſity of preparing for their defence. They ſaid, his majeſty having ſo often threatned them about Hull and the militia, they could not but conſider his preparations as a deſign to levy war againſt his parliament.

The parliament's declaration thereupon. June 21. Ibid.

The king's anſwer. Ib. p. 748.

The king made to this declaration a long anſwer, full of reproaches of the illegal proceedings of both houſes againſt him. He did not deny, that he intended to have juſtice in the caſes of Hull and the militia, or loſe his life in requiring it; and affirmed, that this was no proof of a deſign to make war againſt the parliament, but only of his intention to defend himſelf againſt their attacks. The parliament ſaid the ſame thing on their part, and each endeavoured to caſt the blame of the war on the oppoſite party. I did not think it neceſſary to inſert theſe laſt papers, there being nothing new in them. They contain the ſame reproaches, and the ſame vindications on both ſides, as were ſeen in the former declarations. I ſhall only obſerve, that even when the war was going to commence, and there was no more hopes of an accommodation, the king thought it very ſtrange, that his prerogatives ſhould be violated, and the parliament raiſe forces without his approbation. He always uſed the ſame ſtile, even in the very midſt of the war. In ſhort, the parliament, weary of theſe paper-ſkirmiſhes, of which there was no end, and which conſumed a great deal of time, prohibited, by a printed order, the publiſhing any declarations or papers in the king's name, that ſhould be contrary to the ordinances of the parliament. After that, there was no hope of peace, and accordingly, all thoughts of it were laid aſide by both parties.

The parliament forbids the publiſhing of the king's papers. July 4. Ruſhworth, IV. p. 751.

Project of the king's to become maſter of the fleet; Clarendon, T. I. p. 522, &c. T. Mag.

The king, before he came to an open declaration, had a mind to execute two deſigns he had formed. The firſt was, to become maſter of the fleet; the ſecond, to beſiege Hull. The project of the fleet was ſolely founded in the expectation, that the captains of the ſhips would declare for him as

ſoon as commanded. In this belief, he writt to each captain in particular, requiring him, without delay, and without demanding the orders of his ſuperiors, to bring away his ſhip to Burlington-bay, and yield no farther obedience to the earl of Warwick. He ſent withal a letter to the earl of Warwick, to diſcharge him from the command of the fleet. The letters to the captains were to be delivered, as indeed they were, before that directed to the earl of Warwick. The king diſpatched at the ſame time a meſſenger to London, to carry to the earl of Northumberland a revocation of his commiſſion of admiral, under the great-ſeal. The earl of Warwick, who was then on ſhore, having notice of what paſſed in the fleet, went immediately on-board his ſhip, and ſummoned all the captains to attend him at a council of war. All obeyed, notwithſtanding the king's orders, except five, who united together to make their defence, in caſe they ſhould be attacked. The reſt proteſted to their admiral, they would obey his commands. As ſoon as he had ſecured theſe, he cauſed them to come to an anchor round the five others, to force them to ſubmit. But three of them thought fit to come in upon a ſummons. The two that ſtill remained obſtinate, ſuffered themſelves to be ſhamefully taken by unarmed boats, and were ſent to London. Thus the king was diſappointed of his aim, for which, though of great importance, he had not doubtleſs taken very proper meaſures, as appeared by the event [1].

1642.

Rushworth, IV. p. 752.

Is fruſtrated.

After this fruitleſs attempt, the king believed it in vain to diſſemble any longer, and that he muſt at laſt begin the war. To that end, he ordered William Cavendiſh Earl of Newcaſtle to ſecure the town of Newcaſtle; which was performed, though with ſome difficulty, and then he cauſed alſo Tinmouth caſtle to be ſeized. At the ſame time, he ſent many lords and gentlemen into their reſpective ſhires to levy forces, and by a patent under the great ſeal, appointed William Seymour earl of Hertford, his lieutenant-general of the weſtern counties. He kept near his perſon Robert Bartu earl of Lindſey, to be, under him, general of his army. Sir Jacob Aſhley was general of the foot, and the place of general of the horſe was reſerved for prince Rupert, the

The king prepares for war. Clarendon, T. I. p. 520, 522, 528.

[1] Sir John Pennington, it ſeems, having refuſed to undertake the buſineſs, each captain, as is ſaid above, had orders to bring away his Ship; but Pennington altering his mind, the diſpatches were altered too, and the captains were commanded in their letters to follow Pennington's orders, who not coming time enough, the project came to nothing. Had the firſt letters gone, the five ſhips above-mentioned might have got off. Clarendon, Tom. I. p. 523, 524.

1642. the king's nephew and brother to the elector Palatine, who was daily expected.

He marched to beſiege Hull. Ruſhworth. IV. p. 601, 610. Clarendon, T. I. p. 528. T. May.

Tho' the king had pretended to raiſe only a guard for his perſon, it was found however, that in the beginning of July, he had about three thouſand foot, and ſeven or eight hundred horſe, with which he reſolved to march to Hull. He ſtayed ſome days at Beverly, and publiſhed a proclamation, to ſignify his intention to beſiege Hull, and the reaſon that induced him thereto. As they have already been mentioned, it is needleſs to repeat them. Three days after, he ſent the proclamation to the parliament, with a meſſage, requiring them, that the town of Hull might be forthwith delivered to him.

The parliament's petition to the king, July 15. Ruſhworth. IV. p. 603.

Before the parliament received the meſſage, they had reſolved to preſent a petition to his majeſty, to pray him, in a very humble manner, to forbear all preparations for war; to remove his forces from about Hull; to diſmiſs his troops; to ſend away his garriſons from Newcaſtle, Tinmouth, and other places; for which they promiſed alſo, on their part, to diſcontinue all the preparations they had been forced to make for their defence.

The king's anſwer. Id. p. 605. Clarendon, T. I. p. 530, 531.

The king returned a long anſwer in writing to this petition, wherein he repeated great part of what he had ſaid in his declarations. He made likewiſe ſome propoſitions to both houſes, allowing them to the 27th of July for a full and poſitive anſwer.

He beſieges Hull in vain. Ruſhworth, IV. p. 617. Clarendon, T. I. p. 549.

The parliament having returned an unſatisfactory anſwer to the propoſitions, the king reſolved to begin the ſiege of Hull. But the enterprize was ſo unſucceſsful, that after having been ſome time before the town, without making any progreſs, he was obliged to raiſe the ſiege or, rather blockade, and return to York. The earl of Clarendon ſays, the king undertook the ſiege of Hull, upon the aſſurance given him by Sir John Hotham, that he would ſurrender the town at the firſt ſhot, but that it was not poſſible for Hotham to perform his word.[1]

The king, as I before ſaid, had, ſome months ſince, gained colonel Goring governor of Portſmouth, who feign-

[1] The lord Digby coming privately to the king at York, from beyond ſea, and not finding matters as he expected, reſolved to go back to the queen, and haſten the ſupply of arms, but was taken at ſea by the ſhips that were chaſing the Providence, and brought diguiſed like a Frenchman into Hull, where diſcovering himſelf to Sir John Hotham, he prevailed with him, according to the lord Clarendon, to promiſe to ſurrender the town, if the king would come before it, and make but one ſhot. And this, he ſays, induced the king to march to Beverly, in order to beſiege Hull, before he had any thing in readineſs for ſuch an undertaking. Clarendon, tom. I. p. 546, &c.

ing to keep the place for the parliament, held it indeed for the king. He received money from both sides, to reinforce the garrison and raise new works, the parliament not mistrusting him, and the king relying on his word. At last, about the time the king was before Hull, Goring openly declared for him. This happened in the beginning of August, but three weeks after the parliament had issued out orders for levying an army, to be commanded by Robert Devereux Earl of Essex [1]. This army not being yet ready, both houses, though astonished at Goring's defection, were not however discouraged. As it was of the utmost importance to recover this place, the strongest in the kingdom, before the king should be able to relieve it, they hastily dispatched a committee, whom they empowered to assemble the militia of the neighbouring counties to block up Portsmouth by land, whilst the earl of Warwick, by their order, blocked it up by sea. Happily for the parliament, Goring, though he had received from them three thousand pounds, and the like sum from the king, had neglected to lay in the necessary provisions for a siege, and particularly corn and salt; so that in the very beginning of the blockade, he perceived he could not resist long. This made him resolve to capitulate. He surrendered the place to the committee, only for liberty to retire into Holland, and for his officers to repair to the king.

1642. Goring governor of Portsmouth declares for the king. Rushworth, IV. p. 685. Clarendon, T. I. p. 551.

He is blocked up.

He capitulates.

During the blockade of Portsmouth, the king not doubting but Goring was in condition to defend that place, published at last a declaration that had long been prepared, wherein he sums up all the complaints he had already made against both houses. As the reader is sufficiently informed, there is no occasion to insert this *new* Declaration. Only it must be remarked, that the king declared both houses guilty of high-treason, and forbid all his subjects to obey them. At the same time was also published a proclamation, requiring all men who could bear arms, to repair to him by the 25th of August at Nottingham, where he intended to set up his royal standard, which all good subjects were obliged to attend. The setting up of the royal standard, was the antient manner of making known to the people the king's urgent occasion for their aid, and the place to which they were to repair to assist him. The king could not forbear thinking, he was still to be considered as an ordinary

The king's manifesto, Rushworth, IV. p. 766.

Proclamation to attend the royal standard. Id. p. 774. Clarendon, T. I. p. 553.

[1] And William Russel Earl of Bedford, was, on July 14, appointed general of the horse. Rushworth, T. IV. p. 736.

1642. dinary king, and to have the ſame reſpect and obedience paid to him, as if he had never given his people any cauſe of complaint. He imagined, that the acts of grace he had paſſed in this parliament, and his promiſes to behave better for the future, had effaced all the ill impreſſions made by his paſt government upon his ſubjects; and that, though there was a powerful party againſt him in the parliament, it was otherwiſe among the people. He thought therefore, the ſetting up of his ſtandard would make a ſtrong impreſſion on the people, and induce them to appear in arms at Nottingham. But the prejudices were too deeply rooted in the minds of moſt of the ſubjects, for a bare ceremony to remove them.

The king gives out new commiſſions. Ruſhworth, IV. p. 685. Clarendon, T. I. p. 556.

Whilſt the day appointed for the ſetting up of the ſtandard was expected, the king endeavoured to augment the number of his forces. He gave out freſh commiſſions, and ſent the earl of Hertford and ſome other lords and gentlemen to manage his concerns, and raiſe troops in the weſtern parts. For himſelf, he departed from York ſome days before the 25th of Auguſt, and in his way took Lincoln, from whence he drew the arms of the trained-bands for his troops; after which he came to Nottingham, and the next day reviewed his horſe.

He takes Lincoln, and arrives at Nottingham.

Coventry gates are ſhut againſt him. Aug. 20. ibid. Ruſhworth, IV. p. 783.

The review was no ſooner ended, but he was informed that two regiments of foot were marching to Coventry by the earl of Eſſex's orders. Whereupon he haſted thither with his cavalry, conſiſting of ſeven or eight hundred horſe, in hopes of preventing the parliament's forces, and poſſeſſing himſelf of that city. Accordingly he arrived there the day before the two regiments: but the mayor of the city, though without a garriſon, ſhut the gates againſt him, and fired upon his men. He was very ſenſibly touched with this indignity; but as there was no remedy, he was forced to return to Nottingham, leaving the command of his cavalry to commiſſary-general Wilmot.

Wilmot loſes an opportunity of defeating a body of the parliament's forces. Clarendon, T. I. p. 557.

The next day, his horſe being upon a plain of five or ſix miles extent, where nothing incumbered them, had a clear view of a body of twelve hundred of the enemies foot, guarded only by one troop of horſe. Wilmot, it ſeemed, could not have wiſhed for a fairer opportunity to attack with advantage this body of foot, who had nothing to ſecure them. But, for what reaſon it is not known, inſtead of attacking the enemies, he thought only of avoiding them, and even retreated with ſome precipitation. This was a bad omen to a war juſt commenced.

At last, on the 25th of August, the king caused his standard to be erected on a turret of Nottingham castle[1], having with him only some unarmed trained-bands. His proclamation had produced so little effect, that few were come to attend the royal standard. Nay, it happened, the very day the standard was erected, to grow so tempestuous, that it was blown down, and could not be fixed again in a day or two. This was looked upon by many as a fatal presage of the war. The king had imagined, that the setting up of his standard would draw great numbers of people to Nottingham, who would come and offer him their service: but he was very much disappointed. He had with him but three hundred foot, and some trained-bands drawn together by Sir John Digby sheriff of the county. His cavalry consisted only of eight hundred horse, and his artillery was still at York, from whence it was difficult to bring it, many things being yet wanted to prepare and form it for marching, and besides there were no foot to guard it. Nevertheless, as he had given out many commissions, and ordered his forces to repair to Nottingham, he expected them in that town, though not without danger, the parliament having at Coventry five thousand foot, and fifteen hundred horse. Thus the king was in a very melancholy state before the war was well begun. He had appointed Robert Bartu, earl of Lindsey for general, but had yet no army. The princes Rupert and Maurice his nephews, brothers of the elector Palatine, being come to offer him their service in the beginning of September, he made prince Rupert general of his horse, quartered at Leicester, whither the prince went and took upon him the command.

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The king sets up his standard at Nottingham. Clarendon. Ibid. Rushworth, IV. p. 783. Is blown down. Condition of the king at Nottingham. Clarendon, T. II. p. 1, &c. T. May.

The king, it is certain, was in extreme danger at Nottingham. The town was not in condition to make a long resistance, and the king having scarce any forces, if the parliament's troops, which were within twenty miles of the place, had marched directly to him, he must have been forced to retire with dishonour to York, unless he would have hazarded his being made prisoner. All those about him saw the danger, it being so evident; but it was not easy to avoid it without quitting Nottingham, which could not but be very prejudicial to him. For this reason it was moved in the council, to send a message to both houses, with some overture to incline them to a treaty. The intent of this proposition was doubtless to intimate to the king, that

He is in great danger. Clarendon, T. II. p. 5.

His council advise him to propose a peace.

[1] Rushworth says, it was erected in the open field, on the back-side of the castle-wall. T. IV. p. 783.

1642. that his affairs were in such a situation, that peace alone could free him from the perplexity and danger he was exposed to. But the mover of this advice could hardly think, that a bare offer of peace was able to effect it, after what had passed before the rupture. Very likely therefore, his design was, that in proposing a peace, something more should be offered, than what had been offered before. The king easily perceived the intimation, and was so offended at it, that he broke up the council, that it might no be no longer urged.

The king refuses. Clarendon, T. II. p. 5.

He is advised to propose a peace upon the likelihood of its being rejected. Ibid.

However, the next day, the same motion was renewed, but under a different view. As it was doubtless perceived, that what had offended the king, was the plain meaning of proposing a peace, namely, that his majesty must depart from some of his pretensions, care was taken to remove this odious meaning, and it was advised only to send a message to both houses, in order to gain time. The king still opposed it, alledging, to offer peace in such a juncture, would be discovering his weakness: That his enemies would reject the offer with insolence, and nothing but dishonour would thereby reflect on himself. But it was represented to him, that such a message might do good, but could do no harm: That indeed, both houses, very likely, would reject the offer, but they would thereby render themselves odious to the people, who were desirous of peace, and who would be the more inclined to serve his majesty, for his endeavours to procure it: That if the overture was accepted, the king would have an opportunity of demonstrating, that the war, on his part, was purely defensive: In short, that the bare offer of peace would of course retard the preparations of the parliament, because mens minds would be in suspense, whilst the king's levies might be continued by virtue of the commissions already sent out.

Reasons to back the advice.

He yields to it.

The king yielded to these reasons, because the point was not to offer any new conditions, but only to lay a snare for the parliament, and retard their preparations. This was the sole motive of the message, wherein, as we shall see presently, the king proposed nothing new, and which, however, he represented afterwards as an evident sign of his sincere desire of peace. But though some pretend, that his majesty's message, and the parliament's refusal, contributed very much to facilitate the king's levies, and undeceive the people of their good opinion of the intentions of both houses, I cannot believe, that such weak reasons were able to produce so great effects. It is true, if by the people be meant

meant only those who were devoted to the king, is is not unlikely, that the refusal of peace might render the parliament odious to them, and promote their taking up arms for the king. But if by the people, be understood the parliament's party, or rather all the people in general and without distinction, it is not easy to conceive, how the refusal of a bare proposition, without any thing new in it, could produce such an effect [1]. The people, no doubt, wished for peace rather than war. But they would have a solid peace, supported by other foundations than the king's bare word, and not a peace in general, such as his majesty proposed. They had already rejected such a peace; and upon this sense of the nation it was, that the parliament's whole authority was founded. This was no new thing: it had been long disputed without coming to any conclusion. How therefore could the bare proposal of a treaty, without any particular offer, incline the people so strongly to the king, and render the parliament more odious, if it was rejected? And yet, upon this foundation the king constantly built, from the beginning of the war, as will appear in the sequel. The second reason was wholly founded on the prejudices of the privy-counsellors. For, supposing the negotiation had been entered into, by what fresh evidence would the king have been able to demonstrate, that the war was only defensive on his part, since he had already alledged all that could be said on that subject, and since his papers were publick? The third reason was of no greater force. For if the bare overture of a treaty was capable of keeping people in suspence, and retarding the parliament's levies, it might also have the same effect with regard to the king's. But the counsellors supposed, his majesty's levies would be continued with vigour, whilst the parliament's preparations would be interrupted: That is to say, the parliament's friends would fall into the snare, whilst care should be taken privately to warn the king's to avoid it. Nothing more clearly shows, with what spirit they advised the king to send this message to the parliament.

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Remark on the foregoing reasons.

[1] It is judiciously observed by a modern author, That those on whom the parliament's representations prevailed, were generally people of the midland counties, and the traders in the southern parts of the kingdom, who had smarted most by the arbitrary acts of power, such as seizures of goods, prosecutions for ship-money, loans, tunnage, and poundage, illegal imprisonment, &c. Those on whom the king's representations prevailed, were generally his subjects in the farthest parts of the nation, in Wales, Cornwal, Cumberland, &c. who were the least sensible, and had been the least afflicted with the late pressures and sufferings, after the king's departing from the known laws. Acherley, p. 535.

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1642. Be this as it will, the meſſage was ſent the 25th of Auguſt, (three days after the ſetting up of the ſtandard) [1] by Thomas Wriothesly earl of Southampton, Sir John Culpepper, and ſome others [2].

The king's meſſage to both houſes of parliament. Aug. 25. Ruſhworth, IV. p. 784. T. May. Clarendon, T. II. p. 7.

He propounded to both houſes, "That ſome perſons "might be by them enabled, to treat with the like num- "ber authorized by him, in ſuch a manner, and with ſuch "freedom of debate, as might beſt tend to the peace of the "kingdom. And he aſſured them, that nothing ſhould be "wanting on his part, which might advance the proteſtant "religion, oppoſe popery, ſecure the laws of the land, and "confirm all juſt power and privileges of parliament. If "this propoſition ſhould be rejected, he proteſted, he had "done his duty ſo amply, that God would abſolve him "from any of the guilt of that blood which muſt be ſpilt."

The king's deputies ill received. Clarendon, T. II. p. 8.

As the war was ſufficiently declared by the erecting of the ſtandard, it ſeems, the king ſhould have demanded a ſafe-conduct for his meſſengers. But though he had neglected to take that precaution, they pretended, on what grounds I know not, to go and ſit in their reſpective places, without any previous notice [3]. The lords, offended at the earl of Southampton's boldneſs, called upon him to withdraw, and ordered him to ſend his meſſage in writing, and wait for an anſwer out of London. The commons alſo obliged Culpepper to deliver his meſſage at the bar, at which the king took great offence.

The parliament's anſwer. Aug. 28. Id. p. 9. Ruſhworth, IV. p. 785. T. May.

The anſwer of both houſes to his majeſty's meſſage was, "That notwithſtanding their endeavours to prevent the "diſtracted eſtate of the kingdom, nothing had followed "but proclamations and declarations againſt both houſes of "parliament, whereby their actions were declared treaſon- "able, and their perſons traitors. So that until thoſe pro- "clamations were recalled, and the ſtandard taken down, "they could not, by the fundamental privileges of parlia- "ment, give his majeſty any other anſwer to his meſſage."

The king's meſſengers being returned to Nottingham with this anſwer, *His majeſty*, ſays the lord Clarendon, *was* T. II. p. 9. *contented to make ſo much farther uſe of their pride and paſſion, as*

[1] This ſuppoſes the ſtandard was ſet up the 22d of Auguſt, as indeed Whitelocke and Ruſhworth both ſay. Though Rapin, after the lord Clarendon, ſaid it was erected the 25th. See above, p. 499.

[2] The earl of Dorſet, and Sir William Uvedal, knight.

[3] Sir John Culpepper, by reaſon of the penalty of a hundred pounds to be paid by all members who were not at the houſe by ſuch a day, did not take his place, but ſent in for leave, which was denied him. Clarendon, Tom. II. p. 8.

as to give them occaſion, by another meſſage, to publiſh more of it to the people. It is eaſy to judge from hence, whether the king's real motive was a ſincere deſire of peace, ſince his meſſages were intended only to render the parliament odious. 1642.

He ſaid in his reply: "That he never deſigned to declare both houſes of parliament traitors, or ſet up his ſtandard againſt them, and much leſs to put them and the kingdom out of his protection; he utterly profeſſed againſt it before God and the world. But he promiſed, that if a day were appointed by them, for the revoking of their declarations againſt all perſons as traitors or otherwiſe for aſſiſting him, he would, with all chearfulneſs, upon the ſame day, recal his proclamations and declarations, and take down his ſtandard." The king's ſecond meſſage. Sept. 21. Ruſhworth, IV. p. 786. T. May.

In this meſſage, as in all his other papers, may be obſerved the genius and character of Charles I. He always made uſe of obſcure expreſſions, the interpretation whereof he reſerved to himſelf. It is true, he had not in expreſs terms declared both houſes traitors: but he called their members by that name, as the earl of Eſſex and others. So, according to his way of reaſoning, thoſe that executed the orders of both houſes were traitors and rebels, though the houſes themſelves were not ſo. It may be affirmed, that thoſe little artifices were one of the principal cauſes of this prince's misfortunes, as they made him forfeit the truſt and confidence of his ſubjects. They inſpired the parliament with a perpetual jealouſy of being intangled by treaties, wherein it would have been impoſſible to avoid ſuch ambiguous expreſſions.

The two houſes anſwered, "That his majeſty not having taken down his ſtandard, recalled his proclamations and declarations, whereby he had declared the actions of both houſes of parliament to be treaſonable, and their perſons traitors, and having publiſhed the ſame ſince his meſſage of the 25th of Auguſt, they could not recede from their former anſwer. That if his majeſty would recal his declarations, and return to his parliament, he ſhould find ſuch expreſſions of their fidelities and duties, that his ſafety, honour, and greatneſs could only be found in the affections of his people, and the ſincere counſels of his parliament, who deſerved better of his majeſty, and could never allow themſelves, repreſenting likewiſe the whole kingdom, to be balanced with thoſe who gave evil counſels to his majeſty." The anſwer of both houſes. Sept. 16. Ruſhworth, IV. p. 786. Clarendon, T. II. p. 10.

1642. Mean while, both houſes perceiving, that the king's aim was to keep the people in ſuſpenſe by an uncertain expectation of peace, publiſhed a declaration, proteſting, they would never lay down their arms till his majeſty had left the delinquents to the juſtice of the parliament.

Id. p. 11. Ruſhworth, V. p. 2.

The king's third meſſage. Sept. 11. Ruſhworth, V. p. 2. Clarendon, T. II. p. 12.

The king, on his part, failed not, purſuant to his purpoſe, to make uſe of the anſwers of both houſes to his two meſſages, in a third which he ſent to them, ſaying, "That "let all the world judge who had uſed moſt endeavours to "prevent the preſent diſtractions, either he who had con"deſcended to deſire and preſs it, or the two Houſes, who "had refuſed to enter into a negotiation. That for the fu"ture, if they deſired a treaty of him, he ſhould remem"ber that the blood which was to be ſpilt in this quarrel "was that of his ſubjects, and therefore would return to "his parliament, as ſoon as the cauſes which had made "him abſent himſelf from it ſhould be removed."

Both houſes finding, the king's deſign was to render their refuſal to treat odious to the people, returned a ſtronger and more particular anſwer to this meſſage than they had made to the two firſt. The ſubſtance whereof was as follows:

The parliament's reply. Sept. 16. Ruſhworth, V. p. 3.

"That at the very time his majeſty propounded a treaty, "his ſoldiers were committing numberleſs oppreſſions and "rapines.

"That they could not think his majeſty had done all "that in him lay to remove the preſent diſtractions, as "long as he would admit of no peace, without ſecuring "the authors and inſtruments of theſe miſchiefs from juſtice.

"That they beſought his majeſty to conſider his expreſ"ſions, *That God ſhould deal with him and his poſterity, as "he deſired the preſervation of the juſt rights of parliament.*" That nevertheleſs, his intention was to deny the par"liament the privilege of declaring to be delinquents thoſe "they deemed ſuch, a privilege which belonged to the "meaneſt court of juſtice in the kingdom.

"That his majeſty hath no cauſe to complain, that he "was denied a treaty, when they offered all that a treaty "could produce, ſecurity, honour, ſervice, obedience, "ſupport, and ſought nothing but that their religion and "liberty might be ſcreened from the open violence of a "wicked party.

"That if there were any cauſe of treaty, *they knew a "competent perſon to treat betwixt the king and the parliament.*"

"That beſides, the ſeaſon was altogether unfit, whilſt "his majeſty's ſtandard was up, his proclamations and de-

"clarations

" clarations not recalled, whereby his parliament was charged with treason. 1642.

" That indeed his majesty had often protested his tenderness of the miseries of Ireland, and his resolution to maintain the protestant religion, and the laws of this kingdom. But that these protestations could give no satisfaction to reasonable and indifferent men, when at the same time several of the Irish rebels, the known favourers of and agents for them, were admitted to his majesty's presence with grace and favour, nay, some of them employed in his service: when the cloaths, munition, horse, bought by his parliament for the supply of the Irish war, were violently taken away, and applied to the maintenance of an unnatural war against his people.

" That if his majesty would be pleased to come back to his parliament, they should be ready to secure his royal person, crown, and dignity, with their lives and fortunes".

The king did not leave this answer without a reply. But instead of doing it by way of message, he published a declaration to this effect:

" In the first place, he alledged the laws in his favour. The king's declaration. Sept. 27. Rushworth, V. p. 5.

" He denied that his soldiers had committed any disorders or violences, and affirmed, he had never suffered them to oppress any person whatever.

" He recriminated upon the parliament. He denied that there were any Irish about him, and maintained, that it was a notorious calumny, like that cast upon him heretofore by Mr. Pym.

" He said, the artillery-horses he had taken at Chester were few in number, and of small value. And for the cloaths, if his soldiers had taken any that were designed for the service of Ireland, it was done without his order; and though he might have seized three thousand suits which were going thither, yet he refused to do it, and gave order for their speedy transportation.

" That the parliament made no scruple to employ in the war against their king, a hundred thousand pounds particularly appointed for the relief of Ireland.

" That of near five hundred members, of which the lower-house consisted, there remained not above three hundred, the rest having being driven away by tumults and threats, or withdrawn themselves, out of conscience, from their desperate consultations. That of above a hundred peers, there remained but fifteen or sixteen in the upper-house.

" That

1642. "That it was not the body of the parliament, but only "the violent leading members that were the authors of the "war."

I omit ſeveral general aſſertions which might then be neceſſary to the king's deſigns, but which have been already ſeen in the foregoing papers.

The earl of Eſſex heads the parliament's army. Ruſhworth. V. p. 16.

During theſe paper-ſkirmiſhes, both ſides prepared for war. The earl of Eſſex having ordered his forces to aſſemble at Northampton, departed from London the 9th of September to head the army; and having reviewed them, found about ſixteen thouſand men well armed, and well appointed with a good train of artillery. Then the king, perceiving he could no longer remain at Nottingham with ſafety, marched towards the borders of Wales with his troops, which were yet ſo few in number, that they did not deſerve the name of an army. He was unreſolved in what place to expect the forces that were to come to him from ſeveral parts: but intended to ſecure, if poſſible, Shrewſbury or Cheſter, without knowing however whether either of theſe towns would receive him, the parliament having in all thoſe parts very active and vigilant agents, who employed all their pains to procure them adherents. For this reaſon the king marched but very ſlowly. When he came to Wellington, about ſeven miles from Shrewſbury [2], he drew his little army together, and cauſed his military orders for the diſcipline thereof to be read before them; after which he took occaſion to make a ſpeech to his ſoldiers, and the better to ſatisfy them of his good intentions to the publick, he made the following proteſtation.

The king marches from Nottingham towards Wales. Sept. 16. Id. p. 20. Clarendon, T. II. p. 12.

The king's proteſtation at the head of his army. Sept. 19. Ruſhworth, V. p. 21. Clarendon, T. II. p. 13.

I do promiſe, in the preſence of Almighty God, and as I hope for his bleſſing and protection, that I will, to the utmoſt of my power, defend and maintain the true reformed proteſtant religion eſtabliſhed in the church of England, and by the grace of God, in the ſame will live and die.

I deſire to govern by all the known laws of the land, and that the liberty and property of the ſubject may be by them preſerved, with the ſame care as my own juſt rights. And if it pleaſe God, by a bleſſing upon this army, raiſed for my neceſſary defence, to preſerve me from this rebellion, I do ſolemnly and faithfully promiſe, in the ſight of God, to maintain the juſt privileges and freedom of parliament, and to govern by the known laws of the land

[1] He marched from Nottingham to Derby, Stafford, Leiceſter; and ſo to Shrewſbury, where he ſet up a Mint. Ruſhworth, Tom. V. p. 20.

[2] The author ſays, juſt by Derby. As there are abundance of theſe little geographical miſtakes in the French, care will be taken to correct them all in the Tranſlation, without troubling the reader every time with a note.

land to my utmoſt power, and particularly to obſerve inviolably the laws conſented to by me this parliament. 1642.

In the mean while, if this time of war, and the great neceſſity and ſtraits I am now driven to, beget any violation of thoſe, I hope it ſhall be imputed by God and man to the author's of this war, and not to me, who have ſo earneſtly laboured for the preſervation of the peace of this kingdom.

When I willingly fail in theſe particulars, I will expect no aid or relief from any man, or protection from heaven: but in this reſolution, I hope for the chearful aſſiſtance of all good men, and am confident of God's bleſſing.

The king was not contented with making this proteſtation to his army, but moreover, in all the conſiderable places he paſſed through, he aſſembled the inhabitants, and endeavoured to convince them of the ſincerity of his intentions. Theſe were neceſſary precautions, at a time when the chief point was to gain the people to his intereſt, for on the people depended the ſtrength of both parties.

From Wellington the king marched to Shrewſbury, having received the agreeable news that the town had declared in his favour, and the inhabitants would give him a joyful reception. Here he reſolved to fix his head quarters, and appoint the rendezvous of his army. This was a very convenient place to expect the troops which were levying for him in Wales, Yorkſhire, and Lancaſhire, and to ſend for his ordnance, which had not been able to follow him to Nottingham for want of horſes. This had forced him to make uſe of a hundred draught-horſes ſent by the parliament to Cheſter, to be tranſported into Ireland. He deſired to have the earl of Leiceſter's conſent, who was appointed lord-lieutenant of Ireland, and was then with him at Nottingham. But the earl conſtantly refuſing to give any orders about theſe horſes, bought with the parliament's money, the king gained one Errington, a ſervant of the earl's, who took them in his maſter's name, and delivered them to the king [1]. This the parliament, as hath been ſeen, taxed the king with. As for arms, the king not having a ſufficient quantity for all the troops that were to come from divers parts, had taken the arms of the militia in all the places through which he paſſed: but it was by way of loan, that is, he obtained the conſent of the officers of the militia to take away their arms, on promiſe of reſtoring them. As ſoon

He is received at Shrewſbury. Clarendon, T. II. p. 12.

He ſeizes ſome draught-horſes deſigned for Ireland. Id. p. 27. Ruſhworth, V. p. 13.

He borrows the arms of the militia. Clarendon, T. II. p. 31. T. May.

[1] The earl ſays in his letter, the King gave Errington a warrant to fetch the horſes, which he executed without his knowledge or conſent. See the letter in Ruſhworth, Tom. V. p. 13, —15.

1642. soon as the king came to Shrewsbury [1], the number of his troops so considerably increased, that in a few days he had an army of ten thousand foot, and four thousand horse, with which he was intirely secured from the danger he was in, whilst his army was forming.

He forms an army of fourteen thousand men. Rushworth, V. p. 36.

It is strange, that the earl of Essex should neither molest the king whilst at Nottingham, nor in his march to Shrewsbury. Probably, if presently after his arrival at Northampton he had marched directly against him, he would have greatly embarrassed him, and perhaps disabled him from assembling an army. This neglect can be ascribed only to his not having power to act directly against the king's person, till he received his instructions, which he expected every day, and which came too late. Both houses, it seems, could not believe, the king could be ready so soon as he was, and imagined, that his inability to raise men and money, would compel him to retire to some corner of the kingdom, or to throw himself into their arms. At least, this is what they strove to infuse into the people, for fear of terrifying them with the notion of a war, the event whereof might be doubtful. The king made an advantage of this error, to assemble all his forces at Shrewsbury, and provide himself with money, which he wanted extremely. His friends at London had taken care of this last article, and privately sent considerable sums to Oxford. Moreover, the university, which had always been firmly attached to the king, had engaged to deliver to him all the plate belonging to the colleges, which was very considerable. The point was only how to convey this aid safely to his majesty. To that end, the king sent thither Sir John Byron, with a small detachment of horse, not daring to give him a stronger, for fear of raising a suspicion, that it was for some considerable affair. Byron coming to Oxford, received the money and plate, and returned toward Shrewsbury, by way of Worcester, taking all possible precautions not to be attacked in his march. For this aid of money, which the king could not be without, was of the utmost importance to him. Wherefore, the better to secure it, he detached prince Rupert with a body of horse, who marched on the other side of the Severn to Worcester, to expect Byron and guard him to Shrewsbury.

The parliament's negligence in sending the earl his instructions. The reason of it. Clarendon, T. I. p. 14.

The king raises money several ways. Clarendon, T. II. p. 24, 27.

The university of Oxford give him their plate.

The king sends Byron to Oxford. Clarendon, T. II. p. 19.

In the mean time, the earl of Essex, after staying some days at Northampton and securing Warwick, resolved to fix his head-quarters at Worcester. To that purpose, he sent colonel

[1] Which was September 20. Clarendon, Tom. II. p. 14.

colonel Nathaniel Fiennes before, who came to Worceſter at break of day, ſome hours after Sir John Byron was entered with his convoy. Fiennes, at his arrival being told, that there were ſome of the king's horſe in the town, the number whereof he did not know, haſtily retreated, without making any attempt. Preſently after, prince Rupert arrived, and to ſecure Byron's convoy, who was reſting himſelf in order to march on, paſſed through the town, and poſted himſelf, with his horſe, at ſome diſtance on the other ſide. As he did not believe there were any enemies in thoſe parts, he was not very careful to hinder many of his troopers from ſtaying in the town. When he came to the place he had choſen, he alighted with his brother prince Maurice, and moſt of the officers, repoſing themſelves on the ground. On a ſudden they perceived, within muſket-ſhot, five hundred horſe of the enemy marching up a narrow lane. Theſe were a body commanded by colonel Sandys, whom the earl of Eſſex had ſent before to take poſſeſſion of Worceſter. Prince Rupert inſtantly mounting his horſe, without a moment's heſitation, charged theſe troops, as they came out of the lane, and the charge was ſo vigorous, that the enemy was intirely routed, and Sandys ſlain, with thirty of his men. This action gained the prince a great name, not only for the valour he ſhewed, but chiefly for his ſudden and very ſeaſonable reſolution, in attacking his enemies as they came out of the lane, and when they leaſt expected it. Some hiſtorians in relating this ſkirmiſh, ſeem to repreſent prince Rupert, as one of thoſe romantic heroes, who with five or ſix perſons attacked and routed whole armies. But, after all, there is nothing wonderful in this action of the prince, who had not poſted himſelf beyond Worceſter, without having with him his detachment. Beſides, it is not ſaid, what was the number of the body he commanded. Nevertheleſs, this action, how little important ſoever it was, failed not to ſtrike great terror into the parliament's troops, chiefly by reaſon of prince Rupert's activity and courage, who afterwards gave them cauſe to be confirmed in their high opinion of his valour, for he was one of the braveſt princes in Europe. But though he had gained ſome little advantage, he did not think fit to expect the enemy at Worceſter. He went from thence ſome hours after, and ſafely conducted the convoy of money to Shrewſbury, where the king immediately ordered the plate to be coined. The next day, the earl of Eſſex poſſeſſed himſelf of Worceſter, and making ſome

1642.

A fight at Powick-bridge near Worceſter, wherein prince Rupert had the advantage, Sept. 22. Rushworth, V. p. 23. Clarendon, T. II. p. 19. Ludlow.

Clarendon, T. II. p. 27.

The earl of Eſſex takes ſeveral places. Whitelock.

1642. ſome ſtay there, ſecured in the mean while, Hereford, Gloceſter, and Briſtol.

It would doubtleſs be very ſtrange, that in the twenty days the king ſtayed at Shrewſbury, his army ſhould ſo greatly increaſe, if, as ſome ſay, it was the effect of the parliament's denial to treat with his majeſty. For, ſo ſhort a ſpace does not ſeem ſufficient to determine the people to repair to the places where they were liſted, and to conduct theſe new raiſed troops to Shrewſbury. It may at leaſt be affirmed, that it is much leſs ſurpriſing, that the king's new levies, which could not be ready whilſt his majeſty was at Nottingham, or which did not care to go to a place ſo expoſed, ſhould be in condition to march during his ſtay at Shrewſbury, though it was but of twenty days, ſince he had iſſued out his commiſſions before he left York.

The king marches towards London. Ruſhworth, V. p. 33. Clarendon, T. II. p. 30.

However this be, the king finding himſelf at the head of an army little inferior in number to the earl of Eſſex's, and perceiving, it was not ſufficient to remain in quiet at Shrewſbury, whilſt the enemy was taking, without reſiſtance, the principal towns in the heart of the kingdom, believed he ought to try to put a ſpeedy concluſion to the war. There were two ways, one was to fight the enemies, the other, to gain ſome marches upon them, and appear near London, before they could arrive. The king took this laſt courſe, in the expectation that he ſhould raiſe an univerſal conſternation in London, which might afford his friends opportunity to ſerve him effectually. So, on a ſudden beginning to march the 12th of October, with his army, which was not much incumbered with baggage, there being not one tent and but little artillery, he quartered that night at Bridgenorth, ten miles from Shrewſbury, the next day he came to Wolverhamton, the third day to Bermingham, and the fourth to Kenelworth, where he reſted one day. It was two days before the earl of Eſſex had notice of his march, and began to follow him. It evidently appears by the king's rout, that if he was not in queſt of the enemies, at leaſt he feared them not, ſince he could not be ignorant how eaſy it was for the earl of Eſſex, either to put himſelf in his way, or overtake him. In all likelihood, he imagined the earl would not dare to hazard a battle, or that being much more incumbered with baggage and artillery, his march would be conſiderably retarded. Be this as it will, it was not till the 22d of October, that the two armies came within ſix miles of one another, without having received any notice of each other's march, till that day, which appears very ſtrange.

Ib. p. 32.

Eſſex follows him. *Ib.* p. 34.

But

But what is ſtill more ſurpriſing, is, that the king, to whom ſpeed was ſo neceſſary, had ſo little advanced in five days; ſince, leaving Kenelworth the 17th, he was on the 22d, but four miles north of Banbury, and that the earl of Eſſex, who departed the 15th from Worceſter, ſhould be only at Keinton the 22d, which is not above twenty miles. The king, who till then knew not where the earl of Eſſex was, lay incamped near a village called Edgcot, where he had intelligence the 22d in the night, that the enemies were at Keinton, about ſix miles diſtant. He found then it would be very difficult to execute his deſign upon London, whilſt he ſhould be ſo cloſely followed by the enemies. And therefore he reſolved to give them battle. To that end, he drew up his army on Edge-hill, from whence might be ſeen all Keinton plain, where the parliament's army ſtood in battle array, the 23d in the morning. The fight began not however till three in the afternoon. It is not known what induced the king to defer it ſo long [1]: but for the earl of Eſſex, he had a very ſtrong reaſon not to be in haſte. For, not imagining himſelf ſo near a battle, he had left behind two thouſand foot, and five hundred horſe, with his artillery, and conſequently, delay could not but be advantageous to him. 1642. Ruſhworth, V. p. 36. Clarendon, T. II. p. 34.

Prince Rupert, who commanded the king's right wing of horſe [2], marching down the hill, and advancing to charge the enemies left wing, on a ſudden, Sir Faithful Forteſcue, who commanded a troop of the parliament's horſe, moving forward with his whole troop from the groſs of the cavalry, and joining prince Rupert, with his highneſs charged thoſe he had deſerted [3]. This unexpected accident inſpired the parliament's horſe with ſuch a terror, each man looking upon his companion as upon an enemy, that they were intirely routed, Battle of Keinton, or Edge-hill, in Warwickſhire. Octob. 23. Ruſhworth, V. p. 33, &c. Clarendon, T. II. p. 34, &c. T. May. Lindlow. Manley.

[1] The lord Clarendon ſays, though the horſe were ready, the foot were quartered at ſuch a diſtance, that many regiments marched ſeven or eight miles to the rendezvous, ſo that it was one o'clock before the king's forces moved. Tom. II. p. 35.

[2] The left wing was commanded by commiſſary-general Wilmot, aſſiſted by Sir Arthur Aſtun. The earl of Lindſey led the foot, and next to him was his ſon the lord Willoughby, with the king's regiment. On the parliament's ſide: Their right wing, which conſiſted of three regiments of horſe, was commanded by Sir Philip Stapleton, Sir William Balfour, and the lord Fielding. Sir John Meldrum's brigade led the van, colonel Eſſex was in the middle, and colonel Ballard, and Hollis, and the lord Brooke, in the rear. In the left wing were twenty-four troops of horſe, commanded by Sir James Ramſey. Clarendon, Tom. II. p. 35. Ruſhworth, Tom. V. p. 36.

[3] Sir Faithful Forteſcue was come from Ireland to haſten ſupplies, and had a troop of horſe raiſed for him for that ſervice, but his troops were diſpoſed in the parliament's army, and he was now major to Sir William Waller. Clarendon, Tom. II. p. 36.

1642. routed, and purſued above two miles from the field of battle. By this unadviſed purſuit, the king was in danger of the ſame fate which his predeceſſor Henry III. had at the battle of Lewes. The parliament's right wing ſtood their ground no better than the left. They ran away full ſpeed, and were purſued with the ſame fury and imprudence. What was moreover fatal to the king was, that his reſerve of a regiment of horſe, thinking the victory unqueſtionable by the flight of the enemies cavalry, with ſpurs and looſe reins followed the chace, and could not be hindered by their commanders.

All this while, the foot of both armies were engaged without victory's inclining to either ſide. But at laſt, Sir William Balfour, to whom the earl of Eſſex had given the command of the reſerve, turned the ſcale. As ſoon as he ſaw the king's horſe employed in the purſuit of the flying troops, he went and charged the foot in the flank, and put them into ſuch diſorder, that the king, with the two princes his ſons, were in danger of being made priſoners. The earl of Lindſey, the king's general, was taken, having been ſhot in the thigh, of which he died the next day; and the ſtandard, which was always near the king's perſon, was loſt by the death of the ſtandard-bearer Sir Edmund Verney, but it was recovered afterwards in ſome unknown manner [t].

The return of prince Rupert, with his horſe, prevented the king's intire defeat. For Balfour, who had only a ſmall body of reſerve, ſeeing the cavalry returning from the chace, ſuddenly quitted the fight, and ſecured himſelf near the earl of Eſſex's foot. Could the king and prince Rupert have perſuaded their horſe to charge the parliament's infantry, who had ſcarce any cavalry to ſupport them, very probably they would have routed them, and obtained a complete victory. But the horſe that were returned from the purſuit, in extreme diſorder, could never be brought to charge the enemies, who ſtood in good order, though they were in great danger. As ſoon as the earl of Eſſex ſaw the enemies cavalry returning, he had drawn off his infantry from the battle, and ranged them in the beſt manner he could, in order the better to ſupport the charge of the king's horſe, who, in all appearance, would come and attack them. But it was not his buſineſs to renew the fight. It was ſufficient for

[t] It was reſcued by captain John Smith, lieutenant of the lord John Steward's troop, newly returned from the execution of the runaways. He was knighted for it, and made ſtandard-bearer. Whitelock's Memoirs, p. 64. Tom. I. p. 49.

for him to keep his ground, as he did till night, which freed him from his uneaſineſs. 1642.

When the battle began, there remained not above two or three hours day, and as the king's horſe had ſpent ſome time in the purſuit of the run-aways, and, after their return, could not be prevailed with to renew the fight, it was too late for the king to rally his infantry; who were in great diſorder, and whereof above two-thirds were miſſing. Both armies kept their poſts all night, and in the morning neither thought themſelves in condition to renew the battle. It is true, the forces left behind by the earl of Eſſex, arrived in the night with his artillery. However, as he had no other cavalry than the five hundred horſe that were newly come, and the ſmall body commanded by Balfour, he did not think he ought to hazard a ſecond battle againſt a body of cavalry that had been victorious the day before, and were ſtill facing his army. The king, on his ſide, finding himſelf without infantry, and conſidering that his troops had ſuffered very much by the cold, which was extremely ſharp that night, believed it ſufficient to let his enemies ſee he feared them not. In this diſpoſition, the two armies faced one another the whole day, without any deſire to engage. At laſt, the earl of Eſſex ordering his baggage to be drawn off, the king retired to the quarters he had taken the day before the battle, and the earl of Eſſex marched towards Warwick [1]. The number of the ſlain on the field of battle was about five thouſand. But what the earl of Clarendon ſays, that two days after, the king reviewing his army, found there were not above three hundred men loſt, is hardly credible, even according to his own deſcription of the battle. But without dwelling upon the particular circumſtances of the battle, which were extremely diſguiſed or exaggerated by both parties, who equally claimed the victory, the conſequences demonſtrate, that they might have more juſtly owned, that each had been worſted [2]. The king went from Shrewſbury with T. II. p. 40.

[1] Some of the earl of Eſſex's friends adviſed him rather to purſue the king, and to make a freſh attack upon him. But colonel Dalbier, and ſome others, diſſuaded him from it. Whitelock, p. 64.

[2] In this battle were killed on the king's ſide, Robert Bertu, earl of Lindſey, the lord Stewart, the lord Aubigny, ſon to the duke of Lenox, Sir Edmund Verney, &c. On the parliament's ſide, periſhed the lord St. John of Bletzo, and colonel Charles Eſſex. The lord Willoughby was taken priſoner, in endeavouring to reſcue his father the earl of Lindſey. Upon the news of this battle (ſays Whitelock, p. 64.) all counties were alarmed and frighted, being a ſtrange thing in England, Clarendon, Tom. II. p. 40, 41. T. May. Some ſay, there were but about a thouſand killed. See Manley, p. 48, &c.—With relation to this battle, Denzil lord Hollis tells

1642. with design to make an attempt upon London; but after the battle, he relinquished that thought, though the road to London was open, and believed it more proper to retire to Oxford. On the other hand, the earl of Essex follows the king to obstruct his going to London, but after the battle leaves the way open to him, and retiring to Warwick, puts it out of his power to prevent or stop him. I believe this suffices to shew, it was a drawn-battle, which afforded no real matter of triumph either to the king or the parliament. Indeed, three or four days after the battle, the king took Banbury-castle, where was a garrison of eight hundred foot and a troop of horse. But if the circumstances of taking this place be well considered, it will be found, that it was far from being a consequence or effect of victory. For, first, the king summoned the castle, contrary to the opinion of all his generals, who believed his army little able to undertake the siege. Secondly, he alledged for reason, that he could not determine what course to take, till he was informed of the intention of the enemies, and that if they designed to attack him, he could not fight in a more advantageous place. From hence it may be inferred, that he was not himself fully satisfied of the reality of his victory, since he imagined the earl of Essex in condition to attack him. In short, Banbury-castle surrendered at the first shot, which leaves it uncertain, whether the king would have persisted in the siege in case of resistance, and whether the earl of Essex would have suffered him to do it unmolested. The taking of Banbury determined the king to withdraw to Oxford, the only place in those parts at his devotion, by means of the university, whose members were extremely attached to his interest.

Though the parliament challenged also the victory, they were very sensible they had no great reason to triumph. They were obliged however to make a parade of this pretended victory, as if it had been real, to contradict the king's friends who were trying to strike terror into the Londoners, and induce them to sue for peace, on account of the pretended

Rushworth, V. p. 35. Clarendon, T. II. p. 44. Doubtful issue of this battle.

The king retires to Oxford. Clarendon, T. II. p. 45.

Great consternation in the parliament. The king's friends take occasion to propose a peace. Ibid.

a remarkable story, from his own knowledge, concerning the famous Oliver Cromwel; and that shews (as by observes) "he was as arrant a "coward, as he was notoriously per-"fidious, ambitious, and hypocritical. "This was his base keeping out of "the field at Keinton-battle; where "he, with his troop of horse came "not in, impudently and ridiculously "affirming, the day after, That he "had been all that day seeking the "army and place of fight, though "his quarters were but at a village "near hand, whence he could not "find his way, nor be directed by his "ear, when the ordnance was heard "twenty or thirty miles off." Hollis's Mem. p. 17.

tended ſucceſs of his majeſty's arms. The king had ſtill many friends in the city, there having been yet no meaſures taken to drive them away. Nay, in the parliament itſelf, there were not a few who ſtayed there on purpoſe to do the king ſervice, when occaſion ſhould offer, and who failed not to improve the preſent. The news concerning the battle of Edge-hill or Keinton, being very various at firſt, the king's friends at London induſtriouſly magnified all the circumſtances which might give room to believe that the king was victorious, in order to diſpoſe the people to peace. For it muſt be obſerved, that ſince the breach, the king's grand aim had ever been to dazzle the people with the ſpecious term of peace, and he had never ceaſed to hope that the nation would oblige the parliament to come to an agreement, by leaving him in poſſeſſion of all his prerogatives. This was his favorite project, from which he never ſwerved, not even when his affairs were moſt proſperous. It will hereafter appear on ſundry occaſions, with what conſtancy he endeavoured to execute this ſcheme. The preſent occaſion was the firſt ſince the beginning of the war. When both houſes had perfect information of the ſucceſs of the late battle, what public demonſtrations ſoever they made, to cauſe the people to believe their army victorious, they were very ſenſible, ſuch victories were little capable to oblige the king to throw himſelf into their arms, though the people had been amuſed with ſuch hopes. Then the king's adherents who were ſtill in the houſe of commons, obſerving the conſternation expreſſed by moſt of the members, grew more bold, and ſcrupled not to propoſe a peace, as the only means to free themſelves from trouble. Very probably, this was done with the king's conſent, who at the ſame time was uſing his utmoſt endeavours to perſuade the public, that he had obtained at Edge-hill a complete victory. 1642.

The day before the battle, both houſes had publiſhed a declaration, of which I ſhall content myſelf with relating the ſubſtance: for having given ſo many of theſe papers, I am afraid I ſhall tire my readers if I inſert here at large thoſe that follow.

The two houſes proteſted in the firſt place, "That no "private paſſion or reſpect, no evil intention to his majeſty's "perſon, no deſign to the prejudice of his juſt honour and "authority, engaged them to raiſe forces, and take up "arms." The parliament's declaration before the battle. October 22. Ruſhworth, V. p. 26.

1642. "That his majesty had refused to receive an humble and
"dutiful petition, which they had directed the earl of Essex
"to deliver to him.

"That they were fully convinced, that the king was
"so engaged to the popish party, that all hopes of peace
"were excluded.

"That great numbers of papists had in shew conformed
"themselves to the protestant religion, in order to qualify
"themselves for posts in the king's army.

"That his majesty endeavoured at first to keep off all
"jealousies and suspicions, by many fearful oaths and im-
"precations, concerning his purpose of maintaining the
"protestant religion, and the laws of the kingdom, causing
"some professed papists to be discharged out of his army,
"and none to be received that would not come to church,
"receive the sacrament, and take the oaths. But that
"afterwards his confidence in the priests did more clearly
"appear: persons imprisoned for priests, and jesuits having
"been released out of the goal of Lancaster, and commis-
"sions granted to professed papists.

Here fourteen of them were named.

"That the lord Herbert, son to the earl of Worcester,
"a notorious papist, was made general of the king's troops
"in all South-Wales.

"That those who raised forces for his majesty in the
"North of England, did arm and employ papists.

"That men had been sent to Hamburgh and Denmark
"to raise forces there, and to bring them over to join with
"the earl of Newcastle, and the army of papists which
"was intended to be raised in Newcastle.

"That the king had received in his court divers papists
"in Ireland; some of which were indicted of high-treason
"for their rebellion there; namely, the lord Taffe, &c.

"That divers English traitors were the chief counsellors
"and actors in this unnatural war, as the lord Digby,
"Oneal, Wilmot, Pollard, Ashburnham, &c.

"That divers jesuits and priests, in foreign parts, made
"great collections of money for the relief of the papists in
"Ireland, and the furthering of his majesty's designs against
"the parliament.

"For all which reasons they were resolved to enter into
"a solemn oath and covenant, and expected that their bre-
"thren of Scotland would help and assist them, according
"to the act of p[illegible]ication between the two kingdoms."

The

The king answered this declaration with two others, 1642.
which were published after the battle of Edge-hill. In the first he said:

"That notwithstanding the solemn protestation of both houses, of having no evil intention to his person, yet they had used their utmost power, by the strength of their army, to have destroyed him. Rushworth, V. p. 29.

"That if he refused to give admittance to the petition sent by the earl of Essex, it was because it was sent by persons whom he had particularly accused of high-treason.

"[*Here he gave a long account of the whole matter.*]

"He denies his ever having had any inclination to the papists, or that he had released any priests or jesuits out of the goal of Lancaster.

"He says, that the papists supposed to have commissions were not so much as known to him, and that they had no command, to his knowledge, in his army.

[*It must be observed upon these two last articles, 1st, That the prisoners he had released out of the goal of Lancaster, had been imprisoned as papists, priests, and jesuits, but had not been convicted as such. And therefore the king thought he might deny he had released any priests, &c.*

2dly, The king, when he said there were no popish officers in his army, meant by his army, that which he commanded in person, and the parliament understood that which was commanded by the earl of Newcastle. It might therefore be true, that the popish officers, commissioned by the earl of Newcastle, were not known to the king. But the army in the north was as much his army, as that commanded by himself.]

"He expressly denied, that he ever sent to raise forces in Hamburgh or Denmark.

"He affirmed, the parliament entertained several papists in their troops, and of this he spoke knowingly, as having taken several of them prisoners at the battle of Edge-hill."

The second declaration was intitled, "*His majesty's declaration to all his loving subjects, after his late victory against the rebels on Sunday the 23d of October*, 1642." This title was prefixed on purpose to cherish the fears, the king's friends were endeavouring to infuse into the people, on account of the pretended victory lately obtained by the king over the parliament's army. Id. p. 39.

Salmonet also owns, That there were some popish priests found among the persons slain on the parliament's side, Tom. I. p. 165.

1642. The intent of this declaration was to vindicate the king upon three principal articles, namely, 1. That his majesty favoured popery, and employed papists in his army. 2. That his design was to root out parliaments. 3. That it was his intention, by the commission of array, to take away part of gentlemens estates from them. I shall speak here of the first only, because, after what has been seen, it would be needless to repeat what the king alledged in his vindication upon the two last. As to the first therefore he said:

The king's answer concerning his employing papists.

"That although he should employ papists, no one would "wonder, who considered the hardships and straits he was "driven to, and the little scruple the parliament made to "employ popish officers and soldiers, who served in great "numbers in their army; the industry they used to corrupt "their loyalty; the private promises they allured them with "to their service, even to the assuring them, that all the "penal laws should be repealed. That notwithstanding "the artifices of his enemies, and the weakness of his own "condition, he could not prevail with himself to recall his "proclamation, against receiving into his army such as had "not taken the oaths. He owned, however, that he had "swerved from this general rule, in favour of some of "eminent abilities in command and conduct."

We shall find hereafter, that though this proclamation was not recalled, it was very far from being punctually observed.

Presently after, both houses returned an answer to this declaration, the substance whereof was as follows:

The reply of both houses. Rushworth, V. p. 41.

"That it was astonishing, the king, having affirmed so "positively, that a far greater number of papists served in "their army than in his, should not have been pleased to "name a single instance: that they should have been glad "of knowing their names, as it would have afforded means "to remove those of that religion, who under the profes- "sion of protestants, might have crept into the army with- "out their privity."

Then they pretended to shew, by several reasons, the absurdity of saying, that the parliament endeavoured to corrupt the loyalty of the papists with the promise of repealing the penal laws, and alledged divers instances of their severity against them, during the sitting of the present parliament.

But for a demonstration, said they, that the king acted not with sincerity when he alledged, in his vindication, that he had ordered no recusant to be received into his troops,

troops, and that this order was a mere illuſion, they named 1642.
ſeveral popiſh officers, who had commiſſions under the king's own hand, which commiſſions then remained in the houſe of commons. Moreover, they annexed to this declaration a petition, preſented to the king by the popiſh inhabitants of the county of Lancaſhire, deſiring leave to provide themſelves with arms for his ſervice, and the king's anſwer granting their requeſt. This petition and his majeſty's anſwer, ſeem to me ſo deciſive upon the preſent caſe, which was ſo often repeated, that I think they ought to be inſerted in their own terms.

To the king's moſt excellent majeſty.

The humble petition of us the inhabitants of Lancaſhire, whoſe names are under-written, in behalf of ourſelves, and divers others, being recuſants,

Humbly ſheweth,

"THAT whereas we, and the reſt of this county, your majeſty's moſt loyal ſubjects, are diſarmed, and not ſufficiently provided for the defence of your royal perſon and our own families; our moſt humble ſupplication to your majeſty is, That we may be received into your moſt gracious protection from violence, have our arms, taken from us, re-delivered in this time of actual war, and by your majeſty's ſpecial directions, be enabled further to furniſh ourſelves with competency of weapons for the ſecurity of your royal perſon, (if we be thereto required) our countries and families, who now are, not only in danger of the common diſturbances, but alſo menaced by unruly people to be robbed: And when, by the Almighty's aſſiſtance, your majeſty's kingdom ſhall be ſettled, in caſe we be again diſarmed, that a full value of money in lieu thereof may be reſtored."

The petition of the Lancaſhire recuſants. Ruſhworth. V. p. 49.

The king's anſwer.

To our truſty and well-beloved, Sir William Gerrard, baronet, Sir Cecil Trafford, knight, Thomas Clifton, Charles Townley, Chriſtopher Anderton, and John Clanſfield, and other of our ſubjects, eſquires, in the county of Lancaſhire.

Charles R.

"TRUSTY and well-beloved, we greet you well. Whereas by reaſon of the laws and ſtatutes of our realm, by which all recuſants convicted are to be without arms, your arms have been taken from you: ſo that now,

The king's order for papiſts to provide arms. Sept. 27. Ruſhworth, V. p. 30.

1642. "now, in this time of imminent danger, wherein there are "armies raiſed againſt our commands, and contrary to our "proclamations, and are marching againſt us, and divers "of our good ſubjects, for obeying our lawful commands, "and oppoſing the rebellious proceedings of others ill-"affected, they are by a ſtrong hand ſeized upon and im-"priſoned, their houſes plundered, and their goods taken "away; and the like is threatned to ourſelves, who, as all "other our ſubjects, ought to have our protection againſt "unlawful violence and force: And the laws made for "diſarming recuſants, were made only for a proviſion to "prevent danger in time of peace, and were not intended "to bar you from a neceſſary uſe of arms in time of actual "war, for your own ſafety, or for the defence of our per-"ſon againſt all rebels and enemies, which by your duty "and allegiance you are bound unto; which is not, nor "ever was meant to be diſcharged, or taken away by any "act: And whereas, the arms which were taken from "you, ought by law to have been kept and preſerved, to "have been made uſe of by you in ſuch time of open war, "or by ſuch others as you ſhould provide, yet under the "ſpecious pretence of diſarming recuſants, and perſons ill-"affected, your arms have been diſpoſed and diſperſed into "the hands of ſeveral perſons ill-affected, and for the moſt "part, fomenters and exciters of the commotions now rai-"ſed in this kingdom; our will and command therefore is, "and we charge and require you, upon your allegiance, "and as you tender the ſafety of our perſon, and the peace "and welfare of our kingdom, That you, with all poſſible "ſpeed, provide ſufficient arms for yourſelves, your ſer-"vants, and your tenants, which we authorize and require, "during the time of open war raiſed againſt us, to keep, "and uſe for the defence of us, and of yourſelves, and of "your country, againſt all forces and arms raiſed, or to be "raiſed againſt us, or againſt our conſent, or contrary to "our proclamations, by colour of any order, or ordinance, "or authority whatſoever: And we ſhall (according as we "are bound to all our ſubjects) uſe our utmoſt powers for "the protection of you and yours, againſt all injuries and "violence. And whenſoever theſe arms which you ſhall "ſo provide (after it ſhall pleaſe God to put an end to "theſe dangers and diſtractions) ſhall be taken away from "your cuſtody, by reaſon of our laws now in force, we "do hereby aſſure you, we will allow you for the ſame, "ſo much as you ſhall have diſpenſed in proviſion thereof."

It

It is proper to obſerve, concerning theſe two papers, that the queſtion between the king and both houſes was not, Whether the king might lawfully or not, employ papiſts in his ſervice, but whether he did really employ them? Care therefore muſt be taken, not to confound the right with the fact, the laſt only being the point in queſtion. Now theſe two papers demonſtrate, that the king actually employed papiſts in his ſervice, even at the beginning of the war, and before any effuſion of blood: for this petition was preſented to him, whilſt he was yet at Shrewſbury [1]. 1642. Remarks on this ſubject.

For a greater conviction, both houſes annexed alſo to their declaration, a liſt of the names of twenty-eight officers, coloners, lieutenant-colonels, ſerjeants, majors, captains, and lieutenants, that were papiſts, and actually in the king's ſervice, in the earl of Newcaſtle's army. Ruſhworth, V. p. 50.

The king and the parliament were in this ſtate of animoſity, when his majeſty's private friends in the houſe of commons moved to ſue for peace, under colour of the parliament's inability to continue the war, after their late loſs at Edge-hill. The king, on his part, to confirm the opinion his friends were ſtriving to infuſe into the people, that the parliament's army was entirely routed, and to encourage his well-wiſhers in London to join with thoſe in the parliament, ſent an offer of pardon to the cities of London and Weſtminſter; thereby inſinuating to the inhabitants, that ſuch an offer could not but proceed from the ſuperiority he had acquired by his victory. He practiſed the ſame thing with regard to ſome other towns. It is certain, there was then a great agitation in London, cauſed by the king's friends, who under pretence of dreading a war, which, according to them, was ſo unfortunately begun, uſed their utmoſt endeavours to induce the people openly to demand a peace. Againſt theſe ſecret practices, it was the buſineſs of the leading men in the parliament to provide. And as they were no leſs able than their adverſaries, they quickly found means to baffle this project. Inſtead of oppoſing the motion to ſue to the king for peace, they ſupported it with all their power. They ſaid, "That the parliament had not "taken arms for the ſake of going to war, but only to pro"cure a good peace, the moſt deſirable thing in the world: "That both houſes ought not to be aſhamed to make the "firſt advances, and humbly ſue for peace to their ſo"vereign, but withal, care was to be taken, that a too "great The king offers a pardon to the city of London. Ruſhworth, V. p. 51, 54, &c. Clarendon, T. II. p. 47. Meaſures of the party oppoſite to the king.

[1] The king's anſwer in Ruſhworth is dated September 27, at Cheſter, Tom. V. p. 50.

1642. "great zeal for peace might not be a means to leave them "at the mercy of their enemies: That in order to make "such a peace as was neceſſary to the welfare of the king-"dom, the king was to be told, that they were not yet "reduced to the point, of being forced to accept of ſuch "terms as he ſhould pleaſe to impoſe, and therefore, if "they would have a peace wherein every man might find "his ſafety, it was neceſſary to take good meaſures for the "continuance of the war: That among all the means "which could be uſed, they ſaw none more proper, than "to invite their brethren of Scotland to their aſſiſtance, "purſuant to the treaty between the two nations. Not "that they actually wanted them, the parliament's affairs "not being reduced to ſuch an extremity, that foreigners "were to be haſtily introduced into the kingdom, but that "the Scots would doubtleſs ſo anſwer their requeſt, as to "convince the king, this refuge would not fail the two "houſes in caſe of need: That thereby they ſhould become "more formidable, and if the king was really deſirous of "a peace, he would be forced to grant it upon reaſonable "terms, which was all that ought to be expected."

The parliament reſolves to demand aid of the Scots. Clarendon, T. II. p. 47, &c.

As this advice was very plauſible, and beſides, propoſed by men in whom the majority had great confidence, it was approved by the houſe. Indeed, none could be ignorant, that by the peace which the king had hitherto offered, and which his friends moved to ſue for, could be meant only a peace that ſhould put him in poſſeſſion of all his prerogatives, and that his word ſhould be taken for ſecurity that he would abuſe them no more. But though the members of the parliament doubted not that the king would grant an act of oblivion, ſuch as they ſhould deſire, they did not believe, that ſuch a peace could be advantageous to the kingdom, becauſe they did not believe the king's word to be a ſufficient ſecurity. Beſides, the preſbyterians were no better pleaſed than they had been hitherto, with a peace which would of courſe reſtore epiſcopacy in all its former luſtre. Wherefore things not being yet brought to that ſtate, that the parliament ſhould be induced to wiſh for ſuch a peace, it was reſolved, 1. That his majeſty ſhould be addreſſed for ſettling the peace of the kingdom. 2. That the preparations of forces and other neceſſary means for defence ſhould be proſecuted with all vigour, if an honourable and ſafe peace might not be obtained. 3. That the Scots ſhould be applied to for aſſiſtance, if there ſhould be occaſion. Theſe reſolutions entirely broke all the meaſures of the king's

friends, who had flattered themſelves, that the pretended victory of Edge-hill would produce ſome great effect. 1642.

Purſuant to theſe reſolutions, the parliament took care to recruit the earl of Eſſex's army, and to that end it was ordained, that ſuch apprentices as ſhould be liſted for ſoldiers, ſhould reckon the time ſpent in the wars, as part of their apprenticeſhip. Whereupon great numbers of Apprentices engaged in the parliament's ſervice. A declaration for encouraging apprentices to liſt themſelves in the parliament's army.

After that, both houſes ſent a declaration into Scotland, wherein they did not demand indeed an immediate aid, but ſaid, "That they did not doubt but the Scots would "aſſiſt them, if there ſhould be occaſion, according to the "treaty of amity and alliance between the two nations. "That therefore they deſired them to raiſe ſuch forces, as "they ſhould think ſufficient to ſecure their own borders "againſt the attempts of the army of papiſts, levied by the "earl of Newcaſtle in the north of England. To engage "them the more to what they deſired, they ſaid, the ene-"mies of the proteſtant religion were ſo prevalent with his "majeſty, that he had rejected all the petitions preſented "to him. That the preſent war was for the maintenance of "religion, againſt the efforts of thoſe who had projected "its deſtruction, and that in order to preſerve it more ef-"fectually, they had willingly embraced the invitation of "the Scots, to a nearer degree of union in matters of re-"ligion and church-government, which they had accord-"ingly reſolved to purſue." Rushworth, V. p. 53. Clarendon, T. II. p. 48. The parliament's declaration to the Scots. Novemb. 7. Ibid. Rushworth, V. p. 393.

It was now ſome months ſince the Scotch Commiſſioners reſiding at London, had intimated in a memorial preſented to the parliament, that the Scots paſſionately deſired an union of the churches of England and Scotland in the ſame worſhip and diſcipline. As this propoſition was expreſſed by way of wiſh only, and beſides was worded in ſuch a manner, that it might be underſtood, either that the Scots deſired the Engliſh to embrace the worſhip and diſcipline of the church of Scotland, or that they themſelves were willing to conform to the church of England, the parliament had, in the ſame ambiguous terms, civilly anſwered, that they alſo wiſhed the ſame thing, and would heartily concur in accompliſhing the project. This anſwer was doubtleſs framed by the leading Preſbyterians, to ſerve as a corner-ſtone, of which they hoped one day to make good uſe. But it was not yet time to declare their intention more openly, for fear of loſing all the church of England men that were againſt the king. Probably theſe men would have been alarmed, Remark on the propoſition to unite the two churches. Auguſt 3. Rushworth, V. p. 387, &c.

1642. alarmed, if they had clearly known, that the preſbyterians meant to eſtabliſh their worſhip and diſcipline upon the ruins of the church. For the ſame reaſons alſo, in the declaration above-mentioned, both houſes, or rather the directors, thought not proper to ſpeak more plainly; and in ſaying, that both houſes intended to purſue this union, the propoſition was left in all its ambiguity, though it was eaſy for the Scots to perceive, that in time they ſhould receive ſatisfaction. For it is not to be imagined, there were none but preſbyterians in the parliament's party, though this may be the notion ſome would give us of that party, their aim being to inſinuate, that the war between the king and the parliament was properly a religious war, and that the parliament's ſole view was to deſtroy the church of England, and eſtabliſh preſbyterianiſm in its room. As this deſign was unjuſt in itſelf, they would infer, that the war againſt the king was unjuſt. This reaſoning would be ſolid and convincing, were it true, that the oppoſite party to the king had propoſed to themſelves no other end. But as it is certain, the preſbyterians were not the only perſons that had cauſe to complain of the king, it is no leſs ſo, that the party of his enemies conſiſted not of preſbyterians alone, but alſo of a very great number of church-men, who ſaw, that under colour of deſtroying preſbyterianiſm, an arbitrary power was going to be eſtabliſhed. It is eaſy to conceive, that theſe men were ill-affected to the king, had joined with the parliament, and as yet were attached to their party. But it is inconceivable, that the preſbyterians, who at the beginning of the parliament made ſo inconſiderable a figure in both houſes, as well as in the kingdom, ſhould be grown ſo very numerous in the ſpace of two years, or that the members of the church of England, who complained of the king's former adminiſtration, ſhould have entirely renounced the church, and embraced preſbyterianiſm. It is certain therefore, though the preſbyterian party, conſidered as a religious party, had prevailed in the parliament, there were however in that ſame party, conſidered as enemies to the king, many churchmen who had no other view than the reformation of the civil government, and the ſecurity of the nation's liberties. Theſe were the men the parliament were to manage, for fear of alarming them, till they could be engaged to turn preſbyterians, either by the ſuperiority the parliament ſhould acquire in the courſe of the war, or by the abſolute neceſſity they ſhould be under of relinquiſh-

ing

ing the people's liberties, or of recurring to the aſſiſtance of the Scots, which could not be obtained but by changing the government of the church. On the other hand, the church of England-men could not take it ill, that the parliament managed the Scots, ſince their aſſiſtance might happen to be abſolutely neceſſary. The ambiguous expreſſions therefore in the declaration, with reſpect to the union of the two churches, ſerved to manage all thoſe who were concerned for the parliament's affairs. The Scots were gladly ſuffered to think, that the propoſition was underſtood in the ſenſe they themſelves gave it, and the church of England-men were told, that the parliament was properly bound to nothing, in promiſing to endeavour an union, becauſe there was no more reaſon for the church of England to conform to that of Scotland, than for this to conform to that of England. That however great advantage would accrue from this pretended engagement, in that the king, from the apprehenſion of ſeeing the parliament cloſely united with Scotland, would be induced to make peace upon reaſonable terms. 1642.

Though on this occaſion, the king's enemies had gained ſome advantage in the parliament, his friends did not think themſelves vanquiſhed. They plainly ſaw, that ſo long as both houſes ſhould be able to act with freedom, the king's adverſaries would always be ſuperior, and that it was ſcarce poſſible to take away this freedom without an extraordinary aſſiſtance. Wherefore whilſt men were ſtill in the agitation occaſioned by the battle of Edge-hill, they ſent the king word, that if he would appear before London with his army, they did not queſtion, ſuch commotions would be raiſed in the city, as would turn to his advantage, in which his friends would not fail to exert themſelves to the utmoſt of their power. This made him reſolve to march to London. To that end, he ordered a body of horſe to go forward, who advancing to Reading, the parliament's troops, quartered there, were ſeized with ſuch a terror, that they entirely abandoned the place, and the king came thither ſoon after with his army. Both houſes were alarmed when they heard the king was within thirty miles of London. So, whether for that reaſon, or with deſign to amuſe him, they ſent and deſired a ſafe-conduct for a committee of lords and commons to attend his majeſty with a petition for peace, purſuant to a reſolution taken ſome days before. The king granted a ſafe-conduct for the committee, excepting only Sir

New projects of the king's friends in London. Clarendon, T. II. P. 54.

The king marches to Reading.

Both houſes petition for a treaty. Nov. 3. 11. Ruſhworth, V. P. 56.

Difficulty about a ſafe-conduct.

1642. Sir John Evelyn, becauſe he was proclaimed traitor [1]. In the mean time, both houſes had advice that the earl of Eſſex was marching towards London with the utmoſt ſpeed. For this cauſe they were in no haſte to ſend the committee to the king, on pretenſe of his ſcrupling to admit Evelyn. It is hard to conceive why the king, who could not be ignorant, that the execution of his project depended upon expedition, ſtayed long enough at Reading to give the earl of Eſſex time to come to London as ſoon as himſelf. However this be, he marched the 11th of November to Colebrook, fifteen miles from London. Mean while the earl of Eſſex's army arrived about the ſame time, in the neighbourhood of London. But whether it was not ready ſoon enough, or the parliament was alarmed, the committee was ſent to his majeſty the ſame day, with a very humble petition, to appoint a place for a treaty. The king returned a gracious anſwer to the petition, teſtifying, he wiſhed for nothing more than a peace, and to that end, was content to enter into a treaty. The committee returning to London with this anſwer, the parliament immediately ſent orders to their forces not to exerciſe any hoſtility. But preſently after the departure of the committee, the king began to march towards Brentford, which is but ſeven miles from London, and arriving there the 12th in the morning, attacked the town, where ſome of the parliament's troops were quartered, and became maſter of it, after ſome reſiſtance [2]. Immediately after he ſent a meſſage to both houſes to inform them, that ſince his anſwer to their petition laſt night, he had received advice, that the earl of Eſſex was drawing his forces out of London towards him, which had obliged him to march to Brentford: that however he was ſtill deſirous of peace, and expected their committee at Brentford that night, or early the next morning.

Clarendon, T. II. p. 54, 55.
The earl of Eſſex marches to London.
and the king to Colebrook.
He receives the committee Nov. 11.
Ruſhworth, V. p. 58.
Clarendon, T. II. p. 56, 57.
He aſſaults Brentford.
Ruſhworth, V. p. 59.
T. May.
Ludlow.

The earl of Eſſex's army was indeed arrived near London the 7th, and the earl himſelf was actually in the houſe of peers the 12th, during the aſſault of Brentford. Whereupon both houſes ordered the lord-mayor to ſend out the trained-

He retires to Kingſton.
Ruſhworth, V. p. 55, 59.
Clarendon, II. p. 58.

[1] This committee conſiſted of Algernoon Percy, earl of Northumberland, Philip Herbert, earl of Pembroke, the lord Wenman, Mr. Pierrepoint, and Sir John Hippeſley. Ruſhworth, Tom. 5. p. 57.

[2] Part of colonel Hollis's regiment were quartered there, who made a vigorous defence, but would, in all probability, have been moſt of them cut off, if the lord Brook's and colonel Hampden's regiment had not come to their relief, and maintained a fierce and bloody fight till night, wherein many were ſlain, others driven into the river, and many taken priſoners. So that they quitted the town in the night, and the king poſſeſſed it. Ruſhworth, Tom. V. p. 59. Whitelock, p. 65.

trained-bands, to join with the earl of Eſſex's army, and by that it became much ſuperior to the king's [1]. The ſame day the general made the neceſſary preparations for battle; but the king not thinking fit to expect him, retired towards Kingſton. 1642.

The parliament complained, the king had deceived them under the falſe ſhow of deſiring to treat of a peace, ſince immediately after the departure of the committee, he marched to ſurprize Brentford. The king juſtified himſelf two ways. He ſaid firſt, that not only there was no truce agreed upon, but none ſo much as deſired. Secondly, that after the committee's departure, he received certain information, that the earl of Eſſex had ſent forces to Kingſton, Acton, and other places, to ſurround him, which had obliged him to advance to Brentford. The former of theſe reaſons was the beſt, for there being no ceſſation of arms, he might juſtly take all advantages as he thought proper. But he inſiſted the leaſt upon this, for being diſappointed, he would not have it appear that his deſign was to become maſter of London, or at leaſt to raiſe commotions there in his favour, for fear of expoſing his friends to a ſtrict inquiſition. The latter was not of the ſame force. For if he was afraid of being ſurrounded at Colebrook, he not did avoid that inconvenience, by advancing eight miles nearer London. He rather made it greater by that march, unleſs he advanced with deſign to attack the enemy, which did not appear by his conduct. The parliament complains. Clarendon, II. p. 57. The king tries to vindicate his march to Brentford. Id. p. 58. Ruſhworth, V. p. 60.

The king is furniſhed with another reaſon, not contained in a ſort of manifeſto, publiſhed by himſelf on this occaſion. Prince Rupert, it is ſaid, had advanced to Hounſlow with the horſe, without the king's order, and when there, was informed that the parliament had ſent forces to Kingſton, Acton, and other places: ſo, finding he was going to be ſurrounded, ſent to the king to deſire him to advance with his infantry to diſengage him. This reaſon to me ſeems ſo very weak, that I ſhould think it needleſs to refute it, if it did not come from the illuſtrious author of the hiſtory of thoſe times. I will not ſay, that it does not much redound to prince Rupert's honour to affirm, he had advanced without the king's order with his cavalry, which too is not very likely. But firſt, if the prince did think himſelf in danger, it was much eaſier for him to retire to the king, than for the king to march to his relief. Secondly, what probability was there, that the parliament's forces, which are ſuppoſed Clarendon, II. p. 57.

[1] The whole army, of horſe and foot, conſiſted of about twenty four thouſand men. Idem, p. 66.

1642. posed to have been detached to surround the prince, should post themselves between him and the king? Thirdly, the earl of Essex's army came near London but that very day, and was not in condition to march ten or twelve miles farther to attack the prince.

It is therefore extremely probable, that the king, when he left Oxford, intended to surprize London, or hoped that his friends would so manage, that he should be received there without opposition, before the earl of Essex could arrive. But he either lost too much time at Reading, or was prevented by the earl's expedition. Nevertheless, since he was not ignorant that the parliament's forces were now very near London, one cannot well see what it signified to attack Brentford, unless it was to brave the parliament, or having first designed to give battle, he had altered his mind upon hearing that the trained-bands of London were sent out to join the earl of Essex. Be this as it will, having missed his aim, he was forced to frame reasons to colour his attack of Brentford, and to try to persuade the people, it was done only in his own defence. After all, it is very likely, that when he sent back the committee from Colebrook, he was determined to march to Brentford, and was not sorry the parliament amused themselves with the hopes of a treaty. At least, the reasons he alledged in his vindication did not prove the contrary.

Military actions in several places. Whitelock, p. 66.

The war continued all the winter in several parts of the kingdom, there being scarce a county free from it. My design is not to descend to the particulars of all the skirmishes and conflicts during the war. Such circumstances may be agreeable to the English, who are acquainted with the situation of the places, or concerned for the honour of those who signalized themselves on these occasions. But foreigners, for whom I write, being little concerned, I shall confine myself briefly to relate some of the principal actions.

In the north. Decemb. 1. Rushworth, V. p. 65.

In the beginning of December, the earl of Newcastle, who had levied an army for the king in the northern parts, began his march towards York. He was stopped at the passage of the river Tees, which parts the bishoprick of Durham from Yorkshire, by young Hotham, who had with him a detachment of the little army commanded by the lord Fairfax in that county for the parliament: but the earl forced the passage, and came to York, with about eight thousand men.

Tadcaster and Gisborough fights, p. 91.

There were likewise during the winter, in the same county, two pretty warm actions. The first at Tadcaster, where

where the lord Fairfax was intrenched, and where he was attacked by the earl of Newcaſtle, who, after an obſtinate diſpute, was obliged at laſt to retreat. The ſecond was at Giſborough, where Sir Hugh Cholmley defeated ſix hundred of the king's party, commanded by colonel Slingſby, who was taken priſoner with a good number of his men. 1642. Jan. 16. 1642-3.

Some days after, Sir Thomas Fairfax the general's ſon, attacked the town of Leeds, defended by Sir William Savil with fifteen hundred men, carried it by ſtorm, and took five hundred priſoners. Theſe were the moſt remarkable actions in the north, during the winter that followed the firſt campaign. Taking of Leeds. Jan. 23.

In the ſouth, Sir William Waller, commander for the parliament, blew up Farnham caſtle, and made the garriſon priſoners of war. Shortly after he took Wincheſter, and then Chicheſter, after an eight days ſiege. In the South Waller takes Farnham and Chicheſter. Dec. 29. Ruſhworth, V. p. 100.

In the midland counties, ſeveral notable actions, though little deciſive, were alſo performed. The 5th of December, Wilmot commiſſary-general of the king's horſe, the lord Digby, and others, attacked the town of Marlborough, fortified by the parliament, where was a numerous garriſon. The town being carried by ſtorm, was plundered and burnt, and about a thouſand of the garriſon ſlain and taken priſoners. In the midland counties Wilmot takes Marlborough. Id. p. 82. Clarendon, II. p. 63, 64.

February the ſecond, prince Rupert took Cirenceſter by ſtorm, and made twelve hundred priſoners [1]. Cirenceſter taken. Ruſhworth, V. p. 130, 131.

March the firſt, the lord Brooke attacked ſome of the king's forces intrenched in the cloſe of the cathedral of Lichfield, and was there ſlain; but after his death his men carried the cloſe. Lichfield taken. The lord Brooke's death. p. 147.

The 19th of the ſame month, a battle was fought at Saltheath near Stafford, which was maintained on both ſides four hours, till at laſt Spencer Compton earl of Northampton, who commanded the king's forces, being ſlain, the parliament's troops became victorious. Battle of Hopton, or Salt-heath. Id. p. 152. Northampton's death.

The ſame day Sir William Waller ſurprized the lord Herbert, who was beſieging Gloceſter, killed five hundred of his men, and took above a thouſand priſoners. After that, he took Chepſtow in Monmouthſhire, and then the town of Monmouth itſelf. Waller defeats the lord Herbert. Id. p. 263. Clarendon, II. p. 63, 96, 97, 113, 114, 115, 118, 119.

[1] Among whom were Warnford and Petty-place, (two gentlemen of good quality and fortune near that town) and Mr. George, who ſerved for that borough. Above two hundred were ſlain. Clarend. Tom. II. p. 97.

1642. I proceed now to what paſſed in the weſtern counties from the beginning of the war to March the next year 1643. As the war was always very ſharp in thoſe parts, and as the ſuperiority was there obſtinately diſputed, it will be neceſſary, for the better underſtanding theſe events, to give a particular account of what paſſed in theſe counties.

Affairs of the weſt. Id. p. 2--5, 15, 16. Rushworth, V. p. 122, 124. From the time the king was at Beverley, after having failed in his attempt upon Hull, he ſent the marquiſs of Hertford into the weſt, to try to raiſe a party capable to give the parliament's forces a diverſion. He granted him a commiſſion to command all the weſtern parts, and the marquiſs made Sir Ralph Hopton his general of horſe. The marquiſs being come into Somerſetſhire, fixed his quarters at the Bath, where he could raiſe but few men, by reaſon of the vigilance of the committee of the militia, who greatly obſtructed his levies. At laſt, the earl of Bedford, who commanded in thoſe parts for the parliament, having drawn together much more numerous forces than were thoſe of the king, the marquiſs of Hertford was obliged to retire into Wales. He ſent however Sir Ralph Hopton with about one hundred and fifty horſe into Cornwall, to endeavour to gain that county to the king's intereſt. The earl of Bedford neglected to purſue this little troop, not doubting but the committee of the militia would be able to diſperſe them, and went and joined the earl of Eſſex. This paſſed before the battle of Edge-hill.

Clarendon, II. p. 97.

Hopton was well received in Cornwal, and ſeconded by Sir Bevil Greenvil a Corniſh gentleman, who ſo ordered it

p. 99. that the county declared for the king. Then Hopton drew together three thouſand of the trained-bands, and marched towards Lanceſton, from whence they chaced the committee of the militia, who had aſſembled ſome troops. But endeavouring to lead theſe trained-bands into Devonſhire, they refuſed to march out of their county. For which reaſon he diſmiſſed them, having firſt driven the committee from the little town of Saltaſh.

p. 100. Mean while, with the aſſiſtance of the gentlemen of the county, he found means to levy fifteen hundred regular troops, with whom he became abſolute maſter of all Cornwal, and even made incurſions into Devonſhire.

p. 101. The parliament having intelligence of Hopton's progreſs in Cornwal, ordered all their forces in Dorſet and Somerſet to join with thoſe of Devon, and gave the command of this army to Henry Grey earl of Stamford. The earl heading theſe troops, left Ruthen a Scotchman governor of Plymouth,

mouth, with a detachment into Cornwal. He was no sooner there, but was met by Sir Ralph Hopton, who put him to rout, killed many of his men, and took above twelve hundred prisoners. Ruthen, after his defeat, retired to Saltash, where he endeavoured to fortify himself, and the earl of Stamford threw himself into Tavistock [1]. 1642. Ruthen defeated by Hopton. p. 102.

Hopton, taking advantage of the terror he had struck into the parliamentarians, divided his forces into two bodies; with one of which he marched towards Ruthen, and beat him out of Saltash, and thereby remained again master of Cornwal. The other body moved towards Tavistock, which the earl of Stamford also quitted, and retiring to Plymouth, enabled Hopton with the more ease to fix quarters in Devonshire. But shortly after, both parties having agreed to observe an exact neutrality in the two counties of Devon and Cornwal, in order to remove the war into other parts, Hopton retired with his forces into Cornwal. p. 104, 105.

Having related the principal military actions of the first campaign, and the following winter, it will be necessary to mention some other things, which indeed flowed from the war, but were not decided by arms. Civil affairs of the year 1642.

Money being the sinews of war, it is not strange the king and the parliament should do their utmost to raise all they could. But the wonder is, that they should upbraid each other with the expedients used to that end. According to the laws of the land, the king cannot levy money upon the subject, without consent of parliament; but it is no less certain, that the parliament cannot impose taxes without the royal assent. Taxes are laid by acts, to which the king and both houses must necessarily give their approbation. But what is to be done when the king and parliament are at war with one another? Neither of them, according to the laws, must levy money upon the people, and then it will be almost impossible to wage war, or else both must be left at liberty to raise it, without regarding each other's consent. This was what the king and the parliament practised, and yet they reproached one another with breach of the laws. If we believe the authors who writ in favour of the king, his majesty had no other money than what he was supplied with voluntarily by gift or loan [2]. If he sometimes Remark on the levies of money on both sides. Clarendon, II. p. 67.

taxed

[1] This battle was fought on Bradock-down near Lefkard. The chief of the Cornish gentlemen that helped Sir Ralph Hopton to raise his forces, were Sir Bevil Greenvil, Sir Nicholas Stanning, John Arundel, and John Trevarnion, all four members of parliament. Clarend. Tom. II. p. 100, 102.

[2] And by these means, says the lord Clarendon, the king was able to pay his foot, though it amounted to above 3000 l. weekly. Tom. II. p. 67.

1642. taxed the counties in his power, it was always with the consent of the inhabitants. But this is a kind of artifice to deceive the reader. For it means nothing more, than that ſome of the leading men of a town or county were gained, by whom it was reſolved to give the king ſuch a ſum, after which it would have been in vain for the reſt to oppoſe it, or refuſe to pay their ſhare. The parliament proceeded in much the ſame manner. They demanded for the maintenance of the war contributions, which they termed voluntary, but which were very far from being ſo. This very clearly appeared in an ordinance of the 29th of November, for aſſembling ſuch as had not freely contributed. The king, conſidering this ordinance as an expreſs breach of the law, iſſued out a proclamation, enjoining all his ſubjects not to ſubmit to it. He publiſhed another of the ſame nature, to command all perſons not to execute the ordinance of parliament for paying tunnage and poundage to the two houſes. All this was founded upon the laws, requiring the royal aſſent for the impoſition of taxes. But ſuch were the times, that a ſtrict obſervance of the laws was become impracticable. The parliament anſwered this laſt proclamation, not by acknowledging, the laws were violated by their ordinance, but by ſaying, that the ſtatute urged by the king was made to hinder the king from impoſing any tax, without the conſent of both houſes, and not to diveſt the parliament of a right to impoſe what they thought proper. It is eaſy to perceive, that this was only a cavil, ſince the king's conſent was no leſs neceſſary for impoſing a tax, than that of both houſes. Or rather, they had no right, neither the one nor the other ſeparately, if the laws had been kept to. And yet the king, in the next February, publiſhed another proclamation, ordering that the cuſtoms upon goods imported, ſhould be paid him at Oxford, which, in all appearance, was not performed. This ſubject ſo often returns, not only with reſpect to levies of money, but alſo with regard to every thing enjoined ſeparately by the king or both houſes, that it will not be amiſs to have ſome knowledge of the principles of both parties, in order to avoid paſſing a wrong judgment [1].

Ruſhworth, V. p. 71.

p. 73.

p. 87.

p. 88.

Clarendon, II. p. 69.

Ruſhworth, V. p. 146.

Ever

1. According to ſome authors, the parliament raiſed in all upon the nation, during the courſe of the civil war and afterwards, above ninety five millions, five hundred and twelve thouſand pounds. And, according to Mr. Walker, there was levied, from the year 1641 to 1647, above forty millions in money, and money-worth. See Hiſt. of Taxes, p. 289, 297. In March 1642, they made an ordinance for raiſing thirty four thouſand, one hundred and eight pounds, thirteen ſhillings per week. Ruſhworth, Tom. V. p. 150.

EVer ſince the beginning of this parliament, the king had 1642.
conſtantly profeſſed a ſtrict adherence to the laws of the land. This he perpetually oppoſed to the conduct and pretenſions of the parliament. When the war was begun, he pretended in the like manner, that the laws were to be obſerved with the ſame ſtrictneſs as in full peace. It is very viſible, how advantageous to him this principle was: According to the law, the two houſes could raiſe neither men nor money, much leſs employ them againſt their ſovereign; for he always ſuppoſed the war was only defenſive on his part. He found therefore no better way to reſtore the public tranquillity, than to adhere to the laws, on the obſervance whereof depended the nation's happineſs. Nothing was truer than this principle, taken in general, and independently of the particular caſe the kingdom was in. But, as the king himſelf owned, the laws being only an empty name, if not kept, and the executive power being lodged in the king's hand, the point was to know, Whether the king could be relied upon for the diſcharge of this truſt, after what had paſſed the fifteen firſt years of his reign? There lay the difficulty of the queſtion between the king and the parliament; to ſolve which the king offered only his bare word, whereon the parliament could not, or would not rely. It is therefore evident, that when the king urged the laws in his behalf, he ſaid nothing that in the leaſt prejudiced the parliament's claims. The thing was not to know, Whether the laws aſcribed ſuch or ſuch prerogatives to the ſovereign? The parliament did not deny it: but the queſtion was to know, Whether the king was to be truſted with the executive power, after what had paſſed? So the whole difficulty conſiſted in knowing, by what means the execution of theſe ſame laws, agreed to by both parties, might be ſecured. The king carefully avoided the examination of this point, whether the people had a right to demand ſecurity of him, and uſed his utmoſt endeavours to reduce the diſpute to this, *Whether this or that were enjoined by the laws?* This is the ruling principle in all his papers, without one exception.

Remark on the principles the king would eſtabliſh.

On the other hand, the parliament were no leſs embarraſſed. It is true, they clearly ſhowed, the king had abuſed his prerogatives, whilſt he fully enjoyed them, and from thence inferred, it was neceſſary to reduce his power within certain bounds. But they ſuppoſed, that in order to reduce him within theſe bounds, there was no other way than to ſtrip him entirely of this ſame power, by depriving him of

1642. the command of the militia, and ſome other prerogati[ve]. The queſtion in this reſpect was therefore, Whether it was poſſible to find expedients, which being added to the king's word and oath, might ſecure to the nation their liberties. But the two houſes induſtriouſly avoided to enter upon that queſtion. They were contented to ſuppoſe, without alledging any poſitive proof, that the king had taken up arms to deſtroy the privileges of the people and parliament, and conſequently the war was but defenſive on their part. By that they pretended to vindicate their daily manifeſt breaches of the laws, repreſenting them as abſolutely neceſſary to attain the end they propoſed to themſelves, of ſettling the peace of the kingdom. One can ſcarce help perceiving in this conduct, the aim of certain men, who laboured to render an accommodation impracticable, the better to execute the project of altering the government of the church, to which a peace would have brought inſuperable obſtacles. Could the king have prevailed with himſelf to conſent to that change, expedients would not have been wanted to adjuſt the other points. We ſhall be convinced of this hereafter, when we come to ſee the difficulties of the peace reduced, as I may ſay, to this ſingle article.

Aſſociation of the northern counties for the king. Rushworth, V. p. 66.

The king, as I ſaid, had ſent the earl of Newcaſtle into the north, to gain to his party the biſhoprick of Durham, with the counties of Northumberland, Cumberland, and Weſtmoreland, and to levy an army. The earl happily executed the king's deſign. He ſo managed, that theſe four counties entered into aſſociation to furniſh him at the common expence, with men and money, ſo that he raiſed an army of eight thouſand men. But at the ſame time, he taught the king's enemies to form the like aſſociations, which perhaps they would never have thought of. As ſoon as the parliament was informed of this aſſociation, they ordered the like to be entered into by the counties that owned their authority, and appointed generals to command their forces. The lord Fairfax was made general of Yorkſhire, Sir William Brereton of Cheſhire, Sir William Waller of Hampſhire, the lord Grey of Lancaſhire, major-general Brown of Berkſhire, the earl of Denbigh of Shropſhire, [a] colonel Middleton of Wales, and the earl of Mancheſter of Eſſex and the counties adjoining, called the eaſtern counties, namely, Eſſex, Cambridge, Iſle of Ely, Hertford, Norfolk,

The like aſſociation for the parliament. Nov. 23. Id. p. 64, 66, 67, 95, 96.

[a] It is more likely that it was his ſon Baſil lord Fielding, for the earl his father was in arms for the king, and ſlain at Broxingham in Apr. 1643, but Baſil was in arms for the parliament.

folk, Suffolk, and the city of Norwich [1]. By means of 1642.
these associations, the parliament had forces always ready, which indeed were designed only for the defence of the associated counties, but were however employed sometimes in other services. The king frequently tried to prevent these associations in counties where he knew he had a good number of friends, as for instance, in Kent, and some others. But when both houses perceived the king's practices were like to prevail in any of the counties where they were superior, they obliged them to associate with others, and furnish their quota. p. 143.

Besides these associations between the counties of the same party, there were also at the beginning of the war, private agreements between neighbouring counties of different parties, to observe, between them, an exact neutrality. These agreements were founded on the common advantages of the contracting counties, as they removed the war from their own doors, and settled a mutual commerce between them, which they could not well be without. I have given an instance in the counties of Devon and Cornwal. The like agreement was made between the two parties in Yorkshire and Cheshire. But the parliament refused to authorize these private agreements, because they were too advantageous to the king, who in the end would have been able, by that means, to assemble all his forces in one place, whereas he was obliged to disperse them throughout the whole kingdom. Besides, the king's party had so well managed his concerns, that these agreements were made only in places where it was for his advantage; as for example, in Yorkshire, where the sole view was to stop the inroads of the garrison of Pontfret castle, which very much annoyed the city of York.

Neutralities. Rushworth, V. p. 100.

The parliament sets them aside. Id. p. 101. Clarendon, II. p. 106.

The king retiring to Oxford, after the Brentford affair, carried thither the prisoners taken at Brentford and Edgehill. Within few days after his return, he granted to Sir Robert Heath a commission of oyer and terminer, to try some of the prisoners, among whom was captain John Lilburn, who, with some others, was condemned to die, for being taken in arms against the king. The parliament having notice of this sentence before its execution, declared, that if any prisoner of war should be put to death at Oxford or elsewhere, they would inflict the like punishment upon such prisoners as were or should be taken hereafter.

The king causes some prisoners to be condemned. Dec. 6. Rushworth, V. p. 83.

The parliament threatens to do the like. Id. p. 93. Clarendon, II. p. 68.

[1] These were afterwards generally called the associated counties. Whitelock, p. 66.

1642. after. This declaration ſaved the lives of the condemned, the king not thinking proper to expoſe his officers to the ſame fate.

1642-3. The king's friends try to ſow diſcord in London. Clarendon, II. p. 82, 83.

Though the meaſures of the king's friends to oblige the parliament to make peace were broken, as I ſaid, they were not diſcouraged. As the king, after the buſineſs of Brentford, had fortified Reading, and left there a ſtrong garriſon, they pretended, the inhabitants of London had cauſe to be extremely alarmed at their neighbourhood. So under colour of preventing the danger, they drew a petition, to which they procured as many hands as poſſible, to deſire leave of both houſes to preſent to the king ſome propoſitions which he might conſent to with honour. Many of the inhabitants of Weſtminſter, and of the Pariſhes of St. Martin's and Covent-Garden, known to be the king's adherents, prepared alſo the like petition. It was a very uncommon thing, and of dangerous conſequence for private perſons, without the interpoſition or approbation of the magiſtrates, to take upon them to make overtures of peace to the king. Accordingly, the parliament would not receive their petition, nay, ordered that the authors ſhould be brought to juſtice. Probably, they did not expect the parliament would uſe their mediation for a peace: but in publiſhing this petition, wherein they called themſelves the richeſt and moſt conſiderable inhabitants of London, their aim was to inſinuate to the people, that the honeſt part of the citizens wiſhed for peace upon more moderate terms than the parliament, but were reſtrained by the magiſtrates. The two houſes fully perceiving the motives of the petition, ordered it ſo that the mayor, aldermen, and common-council of London, ſent a very humble petition to the king, wherein they took care to clear themſelves from all diſloyalty, and expreſſed an earneſt deſire of peace. To that purpoſe, they beſought his majeſty to return to his parliament, accompanied with his royal not martial attendance; that whatſoever was amiſs in church and ſtate might be reformed by the advice of both houſes, and ſuch a peace obtained, as ſhould be for the honour of his majeſty, and the welfare of his ſubjects. This petition ſhowed, that the city of London deſired no other peace than what the parliament ſhould agree upon with the king. It had this advantage of the firſt, that it came from the mayor and common-council, whereas the other was ſubſcribed only by private hands.

The parliament oppoſes it.

Petition of the mayor and aldermen of London. Ruthworth, V. p. 110. Clarendon, II. p. 82, 83.

The king was really perſuaded, that the Londoners deſired and would accept of ſuch a peace as he ſhould be pleaſed to grant; but that the magiſtrates, in concert with the parliament, did their utmoſt to prevent it. This petition being preſented to him the 10th of January 1642-3, he returned a very gracious anſwer, and gave it in writing to the committee of aldermen. He ſaid, "That he never entertained "any miſapprehenſion of the loyalty of his city of London, "or of the inhabitants in general: but could not ſay the "ſame with regard to their magiſtrates, and particularly "alderman Pennington their pretended lord-mayor, and "two or three more [1], who endeavoured, with all their "power, to prevent the people, and excite them to rebel-"lion. Then he enumerated all the outrages exerciſed at "London upon himſelf and the laws, and aſſured, he was "ready to return to them, when they ſhould be in a fit "poſture to receive him with honour and ſafety, and had "apprehended the diſturbers of the public peace, that they "might be proceeded againſt by courſe of law, as guilty of "high-treaſon." The king greatly flattered himſelf with reſpect to his papers, which he readily believed to be unanſwerable. But the wonderful effects he hoped from thence did not always anſwer his expectations. In this belief, when he delivered his anſwer in writing to the committee of aldermen, he told them, it was his deſire, that it ſhould be read publickly at a common-hall and before the people. The lord-mayor, with the conſent of both houſes, willingly gave his majeſty this ſatisfaction, and his anſwer was accordingly read in public. But the parliament had ſent a committee of lords and commons to be preſent at the reading, and afterwards to reject the king's anſwer. This did Mr. Pym, one of the committee, in a ſet ſpeech, the deſign whereof was to ſhow, that the king's whole anſwer was full of ſcandalous and injurious aſperſions upon the city and parliament. So the king had little reaſon to be ſatisfied with the ſucceſs of his anſwer, on which however he had much depended, imagining it would be capable of ſowing diſcord between the people of London and the magiſtrates.

1642-3.

The king's anſwer. Id. p. 85.

The king's anſwer is read in public, Jan. 13. Id. p. 87.

and replied to by Pym. Ruſhworth, V. p. 113. Clarendon, II. p. 88.

Some days after, the king ſent to the ſheriffs of London a declaration, grievouſly complaining of Pym's ſpeech, and of the publication of a pamphlet in the city in his name, as if he retracted his former promiſes. He required alſo the maſter and wardens of the ſeveral companies of the city, to ſummon all their members, and read this declaration with his

The king's order to the ſheriffs of London, Jan. 17. Ruſhworth, V. p. 120.

[1] Ven, Foulk, and Manwaring, are named by the king.

1642-3. his fore-mentioned answer, publickly in their several halls. He declared that Isaac Pennington not being regularly elected according to their charter, or lawfully admitted, could not be looked upon as lord-mayor of London, and ordered the sheriffs to commit him to safe custody, with some other aldermen. But the parliament perceiving, the king's aim was to incite the people of London against their magistrates, commanded the sheriffs not to execute the order.

Order of both houses concerning spies, Jan. 16. Id. p. 117, 118.

As the king frequently sent private agents to London, to correspond with his friends there, and to be fully informed of what passed in the city and parliament, both houses thought proper, in order to render this practice more difficult, to declare, that all persons coming from the king's quarters to London without a safe-conduct, should be treated as spies.

Disputes about the papists in both armies. Id. p. 78, 131,--141.

During the winter before the opening of the second campaign, the contest about the number of papists in the service of the king and of the parliament was renewed, on occasion of some papers published by the earl of Newcastle and the lord Fairfax against each other. The earl of Newcastle did not deny that he had papists in his army; but maintained, they were few in number, and besides, it was lawful to employ them, since it was not because of their religion, but for their loyalty. On the other hand, he affirmed, there were great numbers in the parliament's army, and appealed for the truth of what he said to their muster-rolls. I confess this proof to me seems of no weight. For besides that these rolls were not published, and consequently not easy to be examined, probably the religion of the officers and soldiers was not specified [1]. However, the king and the earl of Newcastle openly asserted, there were many papists in the parliament's army. The earl of Clarendon has advanced the same thing: but in all their writings, there is not a single catholic named: whereas the parliament produced lists of popish officers in the king's service, with their names, quality, and employs. Besides, it is easy to see, that the king, according to his principles and behaviour to the papists, from the beginning of his reign, made no scruple to employ them, and that they themselves could expect some advantage in

[1] The earl says, in one of his papers, "That the parliament had had, "for many months, great numbers "under their pay, both English, "French, and other nations, whom, "at the time of their enrolment, and "ever since, they did know to have "been professed papists: whereas, it "was notoriously known, that before "this course was taken on the other "party, his majesty and his ministers "did not admit to, nor continue any "soldiers in pay, who were suspected "to be that way inclined, or did re-"fuse the oaths of allegiance and su-"premacy." Rushworth, Tom. V. p. 80.

in serving him. But what interest the parliament could have to employ catholics, or what advantage could accrue to them from that service, does not so clearly appear. Nevertheless, the imputation perpetually cast upon him afterwards of having popish armies, because he refused not the assistance of papists, and the consequence drawn from thence, that his design was to destroy the protestant religion, must be deemed a very great aggravation, and a mere calumny to render the king odious. 1642-3.

Since the queen was in Holland, she had not been idle. She laboured effectually to procure the king officers, arms, and ammunition, which was facilitated by the prince of Orange her son-in-law's credit. September 1642, both houses sent an agent, Walter Strickland, to the Hague, to complain to the states-general of the preparations making in Holland for the king, and of the supplies that were sent him. But Strickland was received very coldly, by reason of the prince of Orange's credit in the assembly of the states. Besides, the states-general did not consider him as a public minister, because hitherto the parliament had never sent agents abroad in their own name. They were contented therefore to depute one of the members of their assembly, to know what he had to say. Strickland put into their hands a declaration from the parliament, to this effect:

Supplies sent to the king from Holland. Clarendon, I. p. 416, II. p. 109.

The parliament sends Strickland to the Hague.

He meets with a cold reception. Rushworth, V. p. 157.

"That the lords and commons understood by an intercepted letter of the lord Digby's, that he had addressed himself to the prince of Orange, and by his countenance and help made provision of great quantities of ordnance, powder, arms, and divers other sorts of warlike provision: and the said prince, the better to encourage divers commanders of English regiments in the service of the states, to resort to the king's aid against the parliament, had promised to reserve their places for them in their absence.

He delivers to the states a declaration of both houses. Ibid. Clarendon, II. p. 69.

"That they could not believe, this was done by any authority of the states, considering the great help they had received from England, when they lay under the heavy oppression of their princes. Neither could they think, that they would be forward to help to make those slaves, who had been useful and assistant in making them freemen: or that they would forget, that the troubles and dangers of them both issued from the same fountain, and that those who were set at work to undermine religion and liberty in England, were the same, which by open force had sought to do the like in the low countries.

1642-3. "That it could not be unknown to them, that the je-
"ſuitical faction had corrupted the king's counſels, and the
"conſciences of a great part of the clergy, plotted and de-
"ſtroy the parliament, raiſed a cruel rebellion in Ireland,
"endeavoured to divide the king from his parliament and
"people, and by falſe ſlanders incenſed his majeſty ſo, as
"that he had reſolved to ſet up his ſtandard, and draw his
"ſword for the deſtruction of his people, whom by the laws
"and conſtitutions of the kingdom he is bound to preſerve
"and protect.

"That the queſtion was not, whether the king ſhould
"enjoy the ſame prerogative and power which belonged to
"former kings his predeceſſors; but whether that preroga-
"tive and power ſhould be employed to the defence or the
"ruin of the kingdom.

"That it could not be denied, but that it would be more
"honour and wealth, ſafety and greatneſs to his majeſty,
"in concurring with his parliament, than in the courſe he
"was in; but that his counſellors looked more upon the
"prevailing of their own party, than upon any of thoſe
"great advantages, which he might obtain by joining with
"his people.

"That both houſes had lately expreſſed ſo earneſt incli-
"nations to a national love and amity with the United
"Provinces, that they had petitioned his majeſty, that they
"might be joined with them in a more near and ſtrait
"league and union: and they could not but expect ſome
"returns from them of the like expreſſions; therefore
"deſired, that they would be ſo far from blowing the fire
"which began to kindle amongſt them, that they would
"rather endeavour to quench it by ſtrengthening and en-
"couraging them, who had no other deſign but not to be
"deſtroyed, and to preſerve their religion."

This declaration was long neglected, the ſtates-general not vouchſafing to return any anſwer. At length, Strickland having preſented it to the ſtates of Holland, they promiſed to obſerve a ſtrict neutrality, and ingaged the province of Zealand to take the ſame reſolution. They even arreſted ſome ſhips laden with ammunition and ſoldiers for the king. Then the ſtates-general could no longer help taking notice of the parliament's declaration, and returned in anſwer: "That they would expreſly forbid every body to tranſport "any weapons or warlike ammunition into England, and "would gladly employ their mediation for putting an end "to the troubles."

Holland and Zealand promiſe to ſtand neuter. Ruſhworth, V. p. 159, 160.

The anſwer of the ſtates-general. Id. p. 160.

But

But this could not hinder the indirect supplies that were sent to the king, by reason of the prince of Orange's great credit. During the winter, general King, a Scotchman, brought his majesty ordnance and ammunition [1], and general Goring brought over some English officers that were in the service of the states. It is true, that from time to time the English ships seized some of those vessels that were sent to the king. Strickland made frequent complaints of the supplies: but the states-general took no notice of them. Nay, they granted the queen, who was preparing to return to England, so large and general a pass-port, that by virtue thereof she might transport into England troops, ordnance, arms, and ammunition, in what quantities she pleased. Nevertheless the states of Holland, whom it concerned to keep fair with the parliament, stopped one of the queen's vessels laden with ammunition; whereupon she delivered in a protestation. In all probability, they had a mind to manage both parties, the parliament by seizing one of the ships, and the queen, by stopping but one out of many. We shall see hereafter, that the supply brought to the king by the queen was very considerable. She arrived about the middle of February in Burlington-bay, and from thence went to York, where she made some stay [2].

1642-3.

Supplies are sent however to the king from Holland. Id. p. 161. Clarendon, T. II. p. 108, 109. Warwick.

The states grant the queen a large pass-port, Jan. 22.

The states of Holland stop one of the queen's ships. Rushworth, V. p. 162, 163.

The queen arrives in England, Feb. 22. Id. p. 156.

The king would adjourn the courts of justice to Oxford.

The parliament is against it, Decemb. 7, 1642. Id. p. 98, 146.

The king, as I said, constantly insisted upon the laws of the land, and urged that they ought to be observed in time of war as in time of peace. The admitting of this principle would have turned greatly to his advantage, for the laws, not supposing an actual division between the king and the parliament, ascribed to the king sundry prerogatives which he could have used against his enemies. For instance, by virtue of the prerogative, he pretended to adjourn the courts of justice to Oxford during Hilary-term, but the parliament would not consent to it.

On the other hand, the counties being divided between the two parties, the parliament addressed his majesty, representing the inconveniencies that would follow the holding of the assizes in the several counties, some whereof were for the king, and some for the parliament, besought him to agree

The parliament suspend the holding the assizes against the king's will. Rushworth, V. p. 144, &c.

[1] Six thousand arms. Warwick's Mem. p. 237.

[2] The day after her majesty's landing, four of the parliament ships came into the Road, and firing upon the vessels that were landing the ammunition, the balls reached the town, near the place where the queen was resting herself after her voyage. Whereupon, she was forced to remove to an obscure lodging behind a hill. The marquis of Montrose, and the lord Ogilby, with two troops of horse, conducted her to the earl of Newcastle, who entertained her at York. Rushworth, Tom. V. p. 156. Commons war, p. 24.

1642-3. agree to their being deferred to a more convenient ſeaſon. But the king poſitively refuſed it, under colour of the neceſſity of puniſhing malefactors at all times. Had he gained this point, he might have condemned as rebels all thoſe that had taken up arms againſt him, for the judges muſt have adminiſtred juſtice according to the law, which not ſuppoſing an open war between the king and the parliament, condemn, without diſtinction, all that are in arms againſt the king. But the caſe the kingdom was then in, being wholly extraordinary and unexpected, the parliament pretended, the laws could not be executed in that reſpect, without ſome reſtriction and explanation. For this reaſon, they deſired the aſſizes might be ſuſpended, till ſome means might be agreed upon, for the impartial rendering of juſtice.

Id. p. 145. But finding, the king refuſed to conſent to it, they publiſhed an ordinance, forbidding the aſſizes to be held till further order.

Though the war was begun in April 1642, and a battle, with ſeveral ſkirmiſhes, had been fought, the king could hardly be perſuaded, that the very perſons who were in arms againſt him, could or dared refuſe the obedience that was due to him. Of this notion he gave an evident proof in March 1642-3, on the following occaſion. The city of Briſtol being in the hands of the parliament, the king had gained Mr. Robert Yeoman the laſt year ſheriff and one of the principal citizens, and ſent him a commiſſion to raiſe forces, and appoint what commanders he thought proper, Yeoman's deſign being to ſurrender the city to the king. To that purpoſe, he joined with one Bourchier another citizen, and they both formed a plot, into which many of the inhabitants entered, to ſeize the city for the king. The plot being diſcovered the very night it was to be executed, the conſpirators were impriſoned, and the parliament ſent down a commiſſion to colonel Nathaniel Fiennes the governor, to call a council of war, and proceed againſt the priſoners by martial law. The conſpirators being condemned to die, the king writ to the governor by general Ruthen, earl of Forth, that if he put theſe men to death, ſome priſoners in his hands ſhould undergo the ſame fate. Fiennes returned the general a civil anſwer: but in ſhewing him however, the difference between priſoners of war, and ſecret ſpies and conſpirators, he threatened, in his turn, there would be frequent opportunities in the courſe of the war, for the parliament to uſe repriſals. Whereupon the king writ a thundering letter to the mayor and aldermen of Briſtol, commanding

Plot to deliver up Briſtol to the king, March 7. Id. p. 153. Clarendon, T. II. p. 191. T. May.

May 16. Ruſhworth, V. p. 155.

Ibid.

commanding them, as well as all the inhabitants, to rise against the governor and garrison, and free the condemned prisoners.' It was easy to foresee the mayor would ill obey this order. Accordingly the prisoners Yeoman and Bourchier were executed, without the king's thinking proper to proceed in the like manner against the prisoners in his power. 1642-3. The conspirators are punished.

Before I relate what passed in the second campaign of the year 1643, I think it absolutely necessary to shew the disposition of the king and parliament to peace and war. Military actions depending upon many circumstances of time, place, number, and bravery of the troops, conduct and abilities of the officers, these things indeed are ingredients of history, but not the chief. If in the recital of warlike exploits, the end of history was to teach the art of war, all the circumstances of the sieges, battles, skirmishes, would be essential: but there is another end more material to the generality of readers, namely, to know the causes and grounds of the beginning and continuance of wars, and consequently the interests, motives, and artifices of the parties concerned, from whence military actions spring. This is the reason why I resolved to be brief in the description of battles, in order to be more large upon the fore-mentioned points, which I look upon as what is most considerable. Nothing, in my opinion, is more proper to shew the real dispositions of the king and the parliament, than the treaty at Oxford in March and April 1643, concerning a peace. And therefore I resolved to give a particular account of that negotiation, and the rather as I shall thereby avoid the necessity of explaining afterwards many things, which otherwise might not be well understood. How matters stood with the king and the parliament.

Both houses of parliament having considered that the king made some advantage of the inclination he had constantly shown for peace, sent and desired a safe-conduct for commissioners they intended to send to him, which the king granting, the commissioners presented to his majesty certain propositions as proper to serve for foundation to a peace [1]. The parliament desire a safe-conduct to treat of a peace. Rushworth, V. p. 164.

Rushworth

[1] The commissioners on this occasion, were Algernoon Percy earl of Northumberland, Philip Herbert earl of Pembroke, William Cecil earl of Salisbury, and Henry Rich earl of Holland; with the viscounts Wenman and Dungarnon; and Sir John Holland, and Sir William Litton, knights; William Pierrepoint, Bulstrade Whitelock, Edmund Waller, and Richard Winwood, esquires. They had their first access to the king in Christchurch garden, where he was walking with the prince, and divers of the lords attending him. All kissed his hand, and Waller approaching the last, his majesty said, "Though you are "the last, yet you are not the worst, "nor the least in my favour." The discovery of a plot then in hand in London to betray the parliament, wherein Waller was concerned, did manifest the king's courtship to Waller, to be for that service. Whitelock, p. 67.

1642-3. Ruſhworth has preſerved in his collections two ſpeeches made in council upon this occaſion, the earl of Briſtol's to perſuade the king to continue the war, and the earl of Dorſet's to demonſtrate the advantages and neceſſity of a peace. The ſubſtance of the earl of Briſtol's reaſons was as follows:

The earl of Briſtol's ſpeech for the continuation of the war. Feb. 1. Id. p. 127.

"1. That the parliament had declared divers of the "greateſt and moſt eminent among the nobility delinquents "in the higheſt nature; ſo that there could not be an ac- "commodation, without the utter ruin of themſelves and "their families.

"2. But granting that this article were removed, his "majeſty could not condeſcend with his honour to beg "peace of his ſubjects.

"3. That no mention could be found in the hiſtory of "Spain of inteſtine and civil wars, becauſe they were truly "ſubjects, and their ſovereign truly a ſovereign. But ſince "in England the ſtate would neither be ſo to the king, nor "ſuffer the king to be ſo to them, he thought they ſhould "be compelled to it.

"4. That it was no diſhonour for ſubjects to condeſcend "to their king, but it was an exceſſive diminution to his "majeſty's royalty, to ſubmit himſelf to his ſubjects.

"5. His opinion therefore was, that his majeſty ſhould "neither propound to the parliament, or receive from "them any conditions for peace, but ſuch as ſhould ab- "ſolutely comply with the regal dignity and prerogative, "and ſuch as might be no way prejudicial to his majeſty's "ſervants and counſellors, or their eſtates.

"6. That there was an army on foot which could by "force compel that, which fair words could not effect."

On the other ſide the earl of Dorſet repreſented:

The earl of Dorſet's Speech for an accommodation. Ruſhworth, V. p. 128.

"1. That peace, and a ſudden one, was abſolutely ne- "ceſſary, betwixt his majeſty and the parliament.

"2. That he would not adviſe them to embrace a peace "that ſhould be more diſadvantageous than the war, a "peace which would deſtroy the eſtates and families of the "nobility. But it was to be conſidered, that the parlia- "ment declared that only againſt delinquents, ſuch as they "conjectured had miſcounſelled his majeſty, and were the "authors of the tumults in the commonwealth. But this "declaration of theirs, except ſuch crimes could be proved "againſt them, were of no validity; the parliament would "do nothing unjuſtly, nor condemn the innocent; and "certainly innocent men needed not fear to appear before "any judges whatſoever. He who ſhould, for any cauſe,

"prefer

"prefer his private good before the publick utility, was but 1642-3.
"an ill ſon of the commonwealth.

"3. That the buſineſs of the kingdom was to ſtudy to "reconcile all differences between his majeſty and his par-"liament, and ſo to reconcile them, that they ſhould no "way prejudice his royal prerogative, of which the parlia-"ment being a loyal defender (knowing the ſubject's pro-"perty dependent on it) would never endeavour to be an in-"fringer; ſo that if doubts and jealouſies were taken away "by a fair treaty between his majeſty and the parliament, "no doubt a means might be deviſed to rectify differences.

"4. That in Spain, the ſubjects were ſcarcely removed "a degree from ſlaves, nor the ſovereign from a tyrant. "But in England the ſubjects had, by a long and received "liberty, made their freedom reſult into a ſecond nature: "Neither was it ſafe for the kings to ſtrive to introduce "the Spaniſh government upon this free-born nation, nor "juſt for the people to ſuffer that government to be in-"forced upon them; which he was certain his majeſty's "goodneſs never intended.

"5. Granting that his majeſty had an army of gallant "and able men, yet he had infinite diſadvantages on his "ſide, the parliament having double his number, and "ſurely perſons of as much bravery, nay, and ſure to be "daily ſupplied when any of their number failed, a benefit "which his majeſty could not boaſt of, they having the "moſt popular part of the kingdom at their devotion; all, "or moſt of the cities, conſiderable towns, and ports, to-"gether with the maineſt pillar of the kingdom's ſafety, "the ſea, at their command, and the navy; and, which "was moſt material of all, an unexhauſted Indies of money "to pay their ſoldiers, out of the liberal contributions of "coin and plate, ſent by people of all conditions, who ac-"counted the parliament's cauſe their own.

"6. All which things conſidered, he concluded it ne-"ceſſary, to beſeech his majeſty, to take ſome preſent or-"der for a treaty of peace betwixt himſelf, and his high-"court of parliament."

It is not ſaid, what was the reſult of the council's deliberations; but it may be judged by what followed, that the king reliſhed the earl of Briſtol's reaſons better than the earl of Dorſet's. I return to the treaty at Oxford. 1643.

The parliament having to guard againſt the artifices of the king's friends, who were ſtrenuouſly endeavouring to perſuade the people, that the war was waging only for the ſake The parliament demand a peace, but deſire it not. Clarendon, P. II. p. 89.

1643. ſake of ſome of their members, could not better contradict them, than by openly ſuing to the king for peace, and by publiſhing the terms on which they were ready to conclude it. They meant to ſhow by theſe terms, that it was not the private intereſt of ſome of their members that put them upon action, but ſolely the welfare and ſecurity of the nation: however, they knew at the ſame time the king would not accept them. His majeſty, on his part, was obliged to ſhow he wiſhed for peace, ſince he had always pretended to take up arms only in his own defence. But the truth is, he deſired it no more than the parliament; becauſe he ſaw, it was no favourable juncture to obtain ſuch a peace as he expected, with a full reſtoration of all his prerogatives. Thus, though neither the king nor the parliament had any intention ſincerely to endeavour a peace, they were however both indiſpenſably obliged to expreſs their deſire of it, not to give the people occaſion to believe, they preferred their private intereſt to the good of the kingdom. For this reaſon the king continually inſiſted upon reſtoring the laws to their former vigour, and the parliament, upon ſecurity for the obſervance of the ſame laws, and thereby both rendered a peace impracticable. The ſubſtance of the propoſitions preſented to the king by the parliament was to this effect [1]:

The king does not deſire it neither.

The parliament's propoſitions. February 1. Ruſhworth, V. p. 165. Clarendon, T. II. p. 91.

" I. That the armies on both ſides be diſbanded, and " his majeſty be pleaſed to return to his parliament.

" II. That he leave delinquents to a legal trial and judg- " ment of parliament.

" III. That the papiſts be diſbanded and diſarmed.

" IV. That his majeſty be pleaſed to give the royal aſ- " ſent to the following bills:

" 1. For taking away ſuperſtitious innovations.

" 2. For the utter aboliſhing of all archbiſhops, biſhops, " deans, &c.

" 3. Againſt ſcandalous miniſters.

" 4. Againſt pluralities.

" 5. For conſultation with godly, religious, and learned " divines. That his majeſty be pleaſed to promiſe to paſs " ſuch other bills for ſettling of church-government, as, " upon conſultation with the aſſembly of the ſaid divines, " ſhall be reſolved on by both houſes of parliament.

" V.

[1] The earl of Northumberland read the propoſitions to the King with a ſober and ſtout courage, and being interrupted by him, ſaid ſmartly, *Your majeſty will give me leave to proceed?* The king anſwered, *Ay, ay:* ſo the earl read them all through. Whitelock's Mem. p. 67. Ruſhworth, Tom. V. p. 165.

"V. That his majeſty be pleaſed to give his conſent, 1643.
"That an oath may be eſtabliſhed by act of parliament to
"be adminiſtred in ſuch manner, as by both houſes ſhall
"be agreed on; wherein they ſhall abjure and renounce
"the pope's ſupremacy; the doctrine of tranſubſtantiation,
"purgatory, worſhipping of the conſecrated hoſt, cruci-
"fixes, and images; and that the refuſing the ſaid oath,
"being tendered in ſuch manner as ſhall be appointed by
"act of parliament, ſhall be a ſufficient conviction in law
"of recuſancy.

"And that his majeſty be pleaſed to conſent to;

"1. A bill for the education of the children of papiſts
"by proteſtants.

"2. To a bill for the true levying of the penalties againſt
"recuſants, in ſuch manner as both houſes of parliament
"ſhall agree on.

"3. To a bill whereby the practice of papiſts againſt
"the ſtate may be prevented.

"VI. That the earl of Briſtol and the lord Herbert may
"be removed from his majeſty's councils and court, and
"that they may not bear any office, or have any employ-
"ments concerning the ſtate or commonwealth.

"VII. That the militia be ſettled in ſuch a manner as
"ſhall be agreed on by both houſes.

"VIII. That his majeſty be pleaſed to appoint for
"judges [1], ——— with the clauſe *Quam diu ſe bene geſ-*
"*ſerint.*

"IX. That all ſuch perſons as have been put out of the
"commiſſion of peace, &c. ſince the firſt day of April
"1642, may again be put into them; and that ſuch per-
"ſons may be removed, as ſhall be excepted againſt by
"both houſes of parliament.

"X. That his majeſty be pleaſed to paſs the bill pre-
"ſented to him to vindicate and ſecure the privileges of par-
"liament, from the ill conſequence of the late precedent in
"the charge and proceeding againſt the lord Kimbolton,
"and the five members of the houſe of commons.

"XI. That his majeſty's royal aſſent may be given unto
"ſuch acts as ſhall be adviſed by both houſes of parlia-

"ment,

[1] Sir John Brampſton for chief-juſtice of the King's-bench; William Lenthal the ſpeaker, maſter of the Rolls, and to continue the chief-juſtice of the Common-pleas, and make ſerjeant Wilde chief-baron of the Exchequer. And that Mr. juſtice Bacon be continued; and the ſerjeants, Rolls and Atkins made juſtices of the King's-bench; Reeves and Foſter continued; ſerjeant Pheaſant made one of the juſtices of the Common-pleas; ſerjeant Creſwel, Mr. Samuel Brown, and Mr. John Pulloſton, be made barons of the Exchequer. Rushworth, Tom. V. p. 167.

1643. " ment, for the ſatisfying and paying the debts and da-
" mages wherein the two houſes of parliament have en-
" gaged the publick faith of the kingdom.

" XII. That his majeſty be pleaſed to enter into a ſtrict
" alliance with the ſtates of the United-provinces, and
" other neighbouring princes and ſtates of the proteſtant
" religion.

" XIII. That in the general pardon which his majeſty
" hath been pleaſed to offer to his ſubjects, all offences and
" miſdemeanours committed before the 10th of January
" 1641, which have been, or ſhall be queſtioned in parlia-
" ment before the 10th of January 1643, ſhall be excepted;
" which offences and miſdemeanours ſhall nevertheleſs be
" taken and adjudged to be fully diſcharged againſt all other
" inferior courts: that likewiſe there ſhall be an exception
" of offences committed by any perſons, which have had
" any hand in the rebellion of Ireland: and an exception
" of William earl of Newcaſtle, and George lord Digby.

" XIV. That his majeſty will be pleaſed to reſtore ſuch
" members of either houſe of parliament to their ſeveral
" places, out of which they have been put ſince the begin-
" ning of the parliament; that they may receive ſatisfaction
" and reparation for thoſe places; and that all others may
" be reſtored to their offices and employments, who have
" been put out of the ſame upon any diſpleaſure conceived
" againſt them, for any aſſiſtance given to both houſes of
" parliament, or obeying their commands, or forbearing to
" leave their attendance upon the parliament without li-
" cence, or for any other occaſion ariſing from the differ-
" ences betwixt his majeſty, and his parliament."

The king conſents to a treaty.

Theſe propoſitions plainly ſhewed, that though both houſes ſued for a treaty in order to a peace, they were however very far from it, ſince they inſiſted upon things which the king would ſcarce have granted, had his condition been much worſe than it was at that time. Nevertheleſs, as he had talked very much of his offer in Auguſt laſt, to treat of a peace, and of the refuſal of both houſes, he did not think it adviſeable abſolutely to reject theſe propoſitions. He conſented therefore, that they ſhould be diſcuſſed in a treaty; but gave ſix others on his part; namely,

The king's propoſitions. Ruſhworth, V. p. 169. Clarendon, II. p. 95.

" I. That his majeſty's own revenue, magazines, towns,
" forts, and ſhips which have been taken or kept from him
" by force, be forthwith reſtored unto him.

" 2. That whatſoever had been done or publiſhed con- 1643.
" trary to the laws of the land, or derogatory to his ma-
" jeſty's power and rights be renounced and recalled.

" 3. That whatſoever illegal power hath been claimed
" and exerciſed by both or either houſe, over his ſubjects
" as impriſoning their perſons without law, ſtopping their
" *habeas corpus's*, and impoſing upon their eſtates without
" act of parliament be diſclaimed, and all ſuch perſons ſo
" committed forthwith diſcharged.

" 4. That a bill be framed for the better preſerving of
" the book of common-prayer from the ſcorn and violence
" of Browniſts, Anabaptiſts, and other ſectaries, with pro-
" per clauſes for the eaſe of tender conſciences.

" 5. That all ſuch perſons, as, upon the treaty, ſhall
" be excepted out of the general pardon, ſhall be tried, *per*
" *pares*, according to the uſual courſe and known law of
" the land.

" 6. And to the intent this treaty may not ſuffer inter-
" ruption by any intervening accidents, that a ceſſation of
" arms and free trade for all his majeſty's ſubjects be firſt
" agreed upon."

Some days after, the king ſent a meſſage to both houſes, to deſire that his laſt propoſition might be firſt taken into conſideration, to the end that during the ceſſation of arms, the peace might be treated of with the greater tranquillity, to which they conſented.

The king deſires a ceſſation may be ſettled firſt.

It was the 28th of February before both houſes ſent the terms to the king, on which they propoſed to conclude a ſuſpenſion of arms, during the treaty; namely,

" 1. That all manner of arms, ammunition, victuals,
" money, bullion, and all other commodities paſſing with-
" out ſuch a ſafe-conduct as may warrant their paſſage,
" may be ſtayed and ſeized on, as if no ſuch ceſſation were
" agreed on at all.

Articles for a ceſſation ſent by the parliament. Ruſhworth, V. p. 170.

" 2. The ſame with regard to all manner of perſons paſ-
" ſing without ſuch a ſafe-conduct.

" 3. That his majeſty's forces in Oxfordſhire ſhall ad-
" vance no nearer to Windſor than Wheatly, and in Buck-
" inghamſhire no nearer to Ayleſbury than Brill; and that
" in Berks the forces reſpectively ſhall not advance nearer
" the one to the other than now they are: and that the
" parliament-forces in Oxfordſhire ſhall advance no nearer
" to Oxford than Henley; and thoſe in Buckingham no
" nearer to Oxford than Ayleſbury: and that his majeſty's
" forces ſhall take no new quarters above twelve miles
" from

1643. "from Oxford any way; and that the parliament-forces "shall take no new quarters above twelve miles from "Windsor any way.

"4. That no siege shall be begun or continued against "Gloucester, and that his majesty's forces now employed "in the siege shall return to Cirencester, and Malmsbury, "or to Oxford, as shall be most for their conveniency; "and the parliament-forces which are in Gloucestershire, "shall remain in the cities of Gloucester, Bristol, and the "castle and town of Berkley, or retire nearer to Windsor, "as they shall see cause; and that those of Wales which "are drawn to Gloucester, shall return into their quarters, "where they were before they drew down to Gloucester-"shire.

"5. That in case it be pretended on either side, that the "cessation is violated, no act of hostility is immediately to "follow; but first, the party complaining is to acquaint "the lord general on the other side, and to allow three "days after notice given for satisfaction. And in case satis-"faction be not given, or accepted, then five days notice "to be given before hostility begin: and the like to be ob-"served in the remoter armies by the commanders in chief.

"6. Lastly, That all the other forces in the kingdom "of England and dominion of Wales, and not before-"mentioned, shall remain in the same quarters and places "as they are at the time of the publishing this cessation, "and under the same conditions as are mentioned in the "articles before, and that this cessation shall not extend to "restrain the setting forth, or employing of any ships for "the defence of his majesty's dominions."

The king's answer to these propositions. March 6. Id. p. 172.

The king replied to these propositions by a message to both houses, complaining, "That he had been left with-"out an answer almost a month, from the 3d to the 28th, "of February. He conceived, that the articles of the ces-"sation now presented to him, were so strict, that such of "his good subjects who were not of his army would receive "no benefit by the suspension, which he would ever insist "on: and therefore he had returned the articles with such "alterations as he doubted not but both houses would con-"sent to, since they sufficiently manifested how solicitous "he was for the good of his people, and how desirous to "prevent any more effusion of his subjects blood. He de-"sired the cessation might begin the 12th of March, or "sooner, if the conditions should be sooner agreed on, and "was willing the same should continue for twenty days,

"in

" in which time he hoped by the treaty a full peace might 1643.
" be eſtabliſhed throughout the kingdom.

It muſt be obſerved, that the king in this negotiation propoſed to himſelf three advantages, as will hereafter evidently appear. 1. To gain time to make his preparations. 2. To ſet on foot, by means of a ceſſation of arms, a free commerce and correſpondence between the quarters of both armies, and particularly, between London and Oxford, which would help to provide himſelf of many things neceſſary for the enſuing compaign, by ſending for them from London or elſewhere. 3. To convey ſafely from York the forces and ammunition that were come from Holland. All this was concealed under the pretence of procuring the eaſe of his people by a free commerce throughout the kingdom. Theſe are the articles which he ſent to both houſes, with the alterations he mentioned.

Propoſals made by the king for a ceſſation of arms. Ibid.

" I. That all manner of arms, ammunition, money, bullion, and victuals paſſing for the uſe of either army, without a paſs or ſafe-conduct, from the generals of each army, may be ſtayed and ſeized on, as if no ceſſation were agreed on at all."

The king omitted here the words [and other commodities.]

" II. That all officers and ſoldiers of either army paſſing without licence or ſafe-conduct as aforeſaid, may be apprehended and detained, as if no ſuch ceſſation were agreed upon at all: and that all manner of perſons, his majeſty's ſubjects, of what quality or condition ſoever (except officers and ſoldiers of either army) ſhall paſs to and from the cities of Oxford and London, and back again at their pleaſure, during this ceſſation, as likewiſe to and from any other parts of his majeſty's dominions, without any ſearch, ſtay, or impriſonment of their perſons, or ſeizure and detention of their goods or eſtates: and that all manner of trade, traffick, and commerce, be free and open between his majeſty's ſubjects, excepting as aforeſaid, between the officers and ſoldiers of either army; or for arms, ammunition, money, bullion, or victuals, for the uſe of either army, without a paſs or ſafe-conduct, as aforeſaid, which may be a good beginning to renew the trade and correſpondence of the kingdom, and whereby his good ſubjects may be reſtored to that liberty and freedom they were born to and have ſo happily enjoyed, till theſe miſerable diſtractions, and which, even during this war, his majeſty hath to his utmoſt laboured to preſerve, opening the way by moſt ſtrict

1643. " proclamations, to the paſſage of all commodities, even
" to the city of London itſelf.

III. The beginning of this article is the ſame as in the parliament's, but the end is different, viz.

" And that the forces of neither army ſhall advance the " quarters nearer to each other, than they ſhall be upon " the day agreed on for the ceſſation to begin; otherwiſe " in paſſage and communication between their ſeveral quar- " ters reſpectively, without any acts of hoſtility each to " other, but may enlarge themſelves within their own " quarters reſpectively, as they ſhall find convenient.

Hereby the king was at liberty to ſend for his forces from York to Oxford, without any oppoſition from the parliament's army.

" IV. That the forces of either army in Gloceſterſhire, " Wiltſhire, and Wales, as likewiſe in the cities of Glo- " ceſter, Briſtol, and the caſtle and town of Berkley, ſhall " be guided by the rule expreſſed in the latter part of the " precedent article.

V. This article is exactly the ſame with the parliament's.

" VI. That all other forces in the kingdom of England, " and dominion of Wales, not before mentioned, ſhall re- " main in the ſame quarters and places, as they are at the " time of publiſhing this ceſſation, otherwiſe than in paſ- " ſage and communication between their ſeveral quarters, " as is mentioned in the latter part of the ſaid article; and " that this ceſſation ſhall not extend to reſtrain the ſetting " forth, or employing any ſhips for the defence of his ma- " jeſty's dominions, *provided that his majeſty be firſt ac-* " *quainted with the particulars, and that ſuch ſhips as ſhall* " *be ſet forth be commanded by ſuch perſons as his majeſty* " *ſhall approve of.*

" VII. Laſtly, That during the ceſſation, none of his " majeſty's ſubjects be impriſoned, otherwiſe than accord- " ing to the known laws of the land; and that there ſhall " be no plundering or violence offered to any of his maje- " ſty's ſubjects. And his majeſty is very willing, if there " be any ſcruples made concerning theſe propoſitions and " circumſtances of the ceſſation, that the committee for " the treaty nevertheleſs may immediately come hither, " and ſo all matters concerning the ceſſation may be ſettled " by them."

Though both houſes were by no means pleaſed with the king's alterations in their articles, yet as he offered to treat upon

Aſhworth, p. 175.

upon that ſubject, they deſired a ſafe-conduct for ſix commiſſioners, namely, the earl of Northumberland, the lord Say, and four commoners [1]. The king immediately granted it, excepting the Lord Say, becauſe he was proclaimed traitor [2]. When he ſent the ſafe-conduct, he ſignified to them by a meſſage, that he was content his propoſition concerning the magazines, &c. and theirs for diſbanding the armies, ſhould be firſt treated of and agreed, and then the ſecond of his majeſty's, and the ſecond of theirs, and ſo in order: And that the time of the treaty might not exceed twenty days. 1643. Clarendon, T. II. p. 127, 146.

The parliament's five commiſſioners repairing to Oxford, preſented to the king freſh articles concerning the ceſſation of arms. But they were ſo little different from the firſt, that the king was not ſatisfied with them. And therefore he delivered to the commiſſioners the following objections againſt the laſt articles: The parliament's laſt articles for ceſſation. Ruſhworth, V. p. 173.

1. They are in effect the ſame his majeſty formerly excepted to, and there is not the leaſt mention of freedom of commerce between his ſubjects, and conſequently they have no eaſe or benefit by this ceſſation, though that is his majeſty's chief aim. The king's objection to them. March 23. Id. p. 177. Clarendon, T. II. p. 147.

2. The putting the ſhips that may be employed under the command of perſons approved of by his majeſty, is not conſented to by theſe articles; and by that means the conveying of any number of forces from one place to another (which is an act of hoſtility) remains free to both houſes.

3. The army raiſed by the parliament is ſpoken of, as if his majeſty were no part of the parliament, or himſelf to have raiſed that army. Now in order to prevent any inconveniencies that might ariſe upon real differences or miſtakes, upon the latitude of expreſſions, and to avoid delays, his majeſty deſired the committee might have liberty to debate any ſuch differences and expreſſions, and yet no ſuch power is given in theſe articles, and the committee confeſſed to his majeſty they have no liberty, but are ſtrictly bound to the very words of the articles now ſent.

4. His majeſty's deſire, that during the ceſſation none of his ſubjects might be impriſoned otherwiſe than according to the laws of the land, is in no degree conſented to.

5.

[1] Mr. Pierrepoint, Sir William Ermyn, Sir John Holland, and Mr. Whitelock. Whitelock, p. 68.

[2] But he told them, in caſe they thought fit to ſend any other in his room not liable to the ſame exception, he ſhould enjoy the benefit of the ſafe-conduct, as well as if particularly named. But they did not ſend any in his ſtead, ſo only five went. Ruſhworth, Ibid. V. p. 173.

1643. 5. His majesty's desire against violence is not at all taken notice of, nor is his desire against plundering any way satisfied; his majesty not only meaning thereby the robbing of the subject by the unrulines of the uncommanded soldiers, but particularly the violence and plundering used to his subjects, for not submitting to impositions required from them by ordinances of one or both houses, which are contrary to the known laws of the land.

6. Besides, as there is no consent given to those alterations offered by his majesty, so where an absolute consent may be supposed, because the very words of his majesty's articles are wholly preserved, yet by reason of the relation of somewhat going before that is varied by them, the sense of those words is wholly varied too. So that upon the matter, all the propositions made by his majesty (which did not in terms agree with those presented to him) are utterly rejected. For these reasons his majesty desires that the committee now sent may speedily have liberty to debate and agree upon the articles of cessation.

Both houses perceiving, the king concealed under the little alterations he had made in their articles, more than appeared at first sight, thought proper to tell him, they were not wholly ignorant what advantages he intended to draw from such a cessation of arms as he proposed. To that end, they sent him their reasons in writing why they were obliged to reject his additions to their articles. The substance of their reasons was to this effect:

The parliament's reasons why they cannot agree to the articles of the cessation. March 27. Rushworth, V. p. 182. Clarendon, T. II. p. 148.

"1. That if they should grant such a free trade as your "majesty desireth to Oxford and other places, where your "forces remain, it would be very difficult, if not impossi- "ble, to keep arms, ammunition, money and bullion, from "passing into your majesty's army, without very strict and "frequent searches, which would make it so troublesome, "chargeable, and dangerous to the subjects, that the que- "stion being but for twenty days for so few places, the "mischiefs and inconveniencies to the whole kingdom "would be far greater than any advantage which that "small number of your subjects (whom it concerns) can "have by it.

"The case then is much otherwise than is expressed by "your majesty's answer; for whereas they are charged not "to give the least permission of this liberty and freedom "of trade during the cessation, the truth is, That they do "grant it as fully to the benefit of the subjects even in time "of war; and that your majesty, in pressing this for the

" people's good, doth therein desire that which will be 1643.
" very little beneficial to the subject, but exceeding advan-
" tageous to your majesty, in supplying your army with
" many necessaries, and making your quarters a staple for
" such commodities as may be vented in the adjacent coun-
" ties, and so draw money thither, whereby the inhabi-
" tants will be better enabled by loans and contribu-
" tions to support your majesty's army. And as your
" majesty's may receive much advantage, and the other
" army much danger, if such freedom should be granted
" to those places; so there is no probability that the army
" raised by the lords and commons, shall have any return
" of commodities and other supplies from thence, which
" may be useful for them: And they conceive, that in a
" treaty for a cessation, those demands cannot be thought
" reasonable which are not indifferent, that is, equally ad-
" vantageous to both parties.

" As they have given no interruption to the trade of the
" kingdom, but in relation to the supply of the contrary
" army, which the reason of war requires; so they be-
" seech your majesty to consider, whether your soldiers
" have not robbed the carriers in several parts, where there
" hath been such reason; and your ships taken many ships,
" to the great damage, not only of particular merchants,
" but of the whole kingdom. And whether your majesty
" have not declared your own purpose, and endeavoured
" by your ministers of state, to embark the merchants
" goods in foreign parts, which hath been in some mea-
" sure executed upon the Eastland merchants in Denmark,
" and is a course which will much diminish the wealth of
" the kingdom, violate the law of nations, make other
" princes arbiters of the difference betwixt your majesty
" and your people, break off the intercourse between this
" and other states, and like to bring us into quarrels and
" dissension with all the neighbouring nations.

" 2. To demand the approving of the commanders of
" the Ships, is to desire the strength of one party to the
" other, before the difference be ended, and against all
" rules of treaty; to make a cessation at sea, would leave
" the kingdom naked to those foreign forces, which they
" have great cause to believe have been solicited against
" them, and the ports open for such supplies of arms and
" ammunition as shall be brought from beyond the seas:
" But for conveying any number of forces by those means

" from

1643. "from one port to another, they ſhall obſerve the articles "of the ceſſation by which that is reſtrained.

"3. As for the expreſſions of the army raiſed by the "parliament, they are contented it ſhould be altered thus "*(raiſed by both houſes of parliament,)* as not deſiring to "differ upon words; but to give any concluſive power in "this caſe to the committee upon ſuch differences as may "ariſe, wherein the houſes have given no expreſs direc-"tion, is neither ſafe for the committee to undertake, nor "fit for the two houſes to grant; yet to debate, and to "preſs the reaſon of their diſſent, whereby an agreement "from your majeſty may be procured, is granted to them; "and although the two houſes did think it moſt proper "the ceſſation ſhould be firſt agreed on, and that it was "unfit to treat in blood, yet to ſhew the world of their "earneſt longing after peace, they have given power to "the committee, to enter into the treaty upon the two "firſt propoſitions, notwithſtanding the ceſſation be not "yet aſſented to; and thoſe being agreed, they hope the "foundation will be laid not only of a ſuſpenſion, but a "total abolition of all hoſtility in the kingdom.

"4. If the nature of war be duly conſidered, it muſt "needs be acknowledged, that it is incompatible with the "ordinary rules of a peaceable government: your majeſty "would have them commit none, but according to the "known laws of the land, whereby they conceive your "majeſty underſtands, that it muſt be by the ordinary "proceſs of law; which being granted, it will follow, "that no man muſt be committed by them for ſupplying "your majeſty with arms, powder, ammunition: for by "the law of the land, the ſubject may carry ſuch goods "from London or any other place to Oxford, the ſoldiers "muſt not be committed if they run from their colours, "and refuſe any duty in the army, *No man ſhall be commit-"ted for not ſubmitting to neceſſary ſupplies of money*: So that "if this be yielded in your majeſty's ſenſe, they ſhall be "diſabled to reſtrain ſupplies from their enemies, and to "govern or maintain their own ſoldiers. It cannot be "thought reaſonable, that under the diſguiſe of a ceſſa-"tion, they ſhould admit that which will neceſſarily pro-"duce the diſſolving of the army, and the deſtruction of "the cauſe.

"It ſeems not probable, that your majeſty doth intend, "that, if any be taken with ſupplies for this army, or mu-"nitioning in your own, ſuch perſons ſhall not be commit-

"ted,

" ted, but according to the known laws of the land, that 1643.
" is, by proceſs of law: but rather that your majeſty will
" ſo interpret this limitation of known laws, that though
" it lays ſtrait bonds upon both houſes, yet it leaves your
" generals as much liberty as before: for it hath been de-
" nied by your majeſty, that theſe known laws give any
" power to the two houſes of parliament to raiſe arms,
" and ſo conſequently their general cannot exerciſe any
" martial law in thoſe caſes; and it is not unlike, but that
" it will be affirmed, that the generals conſtituted by your
" majeſty's commiſſion, have that power by the ſame
" known laws; ſo that this article, under the ſpecious
" ſhew of liberty and law, would altogether diſable them
" to defend their liberties and laws, and would produce to
" your majeſty an abſolute victory and ſubmiſſion, under
" pretence of a ceſſation and treaty.

" 5. Being, by neceſſity inevitable on their part, en-
" forced to a defenſive war in this unhappy breach be-
" tween your majeſty and them, and that they are therein
" warranted both by the laws of God and man, it muſt
" needs follow, that by the ſame laws they are enabled to
" raiſe means to ſupport that war; and therefore, till it
" ſhall pleaſe God to incline your majeſty to afford them
" ſuch a peace as may ſecure them, they cannot relinquiſh
" the power of laying taxes upon thoſe who ought to join
" with them in that defence, and the neceſſary ways of le-
" vying thoſe taxes upon them, in caſe of refuſal, for
" otherwiſe their army muſt needs be diſſolved. But if
" your majeſty ſhall conſent to diſband the armies, the
" cauſe of the war being taken away, the conſequences
" will likewiſe be removed, and the ſubject reſtored to the
" benefit of thoſe laws which the neceſſity of arms hath
" in ſuch caſes ſuſpended.

" 6. They deny any pretence of conſenting to thoſe al-
" terations and additions offered by your majeſty; only in
" the preamble they ſay, they have conſidered of thoſe ar-
" ticles, with ſuch alterations and additions; unto which
" articles they profeſs they were ready to agree, not as
" they were accompanied with thoſe alterations and addi-
" tions, but in ſuch manner as they expreſſed. As for the
" clauſe left out in the third article, it implied a freedom
" of paſſage and communication of quarters, which is con-
" trary to the nature of the ceſſation, whereby matters
" ſhould be preſerved in the ſtate they are, and neither
" party have liberty ſo much to advantage himſelf, as it is

" evident

1643. "evident your majeſty might do, if your forces in the "north and weſt might join with thoſe at Oxford, and "bring thoſe ſupplies of treaſure or arms thither, which "were brought out of Holland; or at leaſt it ſhould be ſo "indifferent, as to give a proportionable advantage to the "other ſide, which this doth not. For the forces under "the power of both houſes are ſo diſpoſed, that they have "an eaſy paſſage from one to the other: but your majeſty's forces are ſevered the one from the other, by many "large counties, ſtrong paſſes, and competent armies; "and if they had admitted this clauſe, they had bereaved "themſelves of one of the greateſt advantages, and freed "your majeſty's party of one of the greateſt inconvenien-"cies which your majeſty or they have in this war.

"For the reaſons already alledged, they cannot agree to "the alterations and enlargements of the ceſſation pro-"pounded, or to transfer any ſuch power to the com-"mittees, of treating, debating, and agreeing upon thoſe "articles in any other manner than the houſes have di-"rected. But that a fair and ſpeedy paſſage may be opened "to a ſecure and happy peace, they have enabled their "committees to treat and debate upon the two propoſi-"tions concerning his majeſty's own revenue, the delivery "of his towns, caſtles, magazines, and ſhips, and the "diſbanding of the armies; which being agreed upon, a "preſent peace and ſecurity will follow, and the treaty "upon the other propoſitions be facilitated, without fear of "interruption, by the confuſion of war, or exaſperation "of either party by the bloody effects thereof."

The king's anſwer. April 4. Ruſhworth, V. p. 186, &c.

The king failed not to reply to this paper. But as his anſwer was very long, I ſhall content myſelf with inſerting the moſt material part of each article.

1. *Concerning the freedom of trade:*

His majeſty denies that he has any private benefit by it, and aſſures, that the good of the people is the only advantage he has in view. He ſlightly paſſes over the objection, that the ceſſation of arms not being to laſt but twenty days, the freedom of commerce could not be, for ſo ſhort a ſpace, of any great benefit to the nation.

His majeſty affirms, that no complaint concerning the robbing of carriers by his ſoldiers has been made to him, which he has not received to the relief and reparation of the ſufferers.

He

He owns, he is resolved not to grant his protection to 1643.
such persons abroad, who assist or consent to actions of disloyalty to him at home.

2. *Concerning the ships.*

He says, as the setting out of the present fleet is pretended to be for the defence of his dominions, it is most necessary for his majesty to know both the designs, and to approve of the commanders. He cannot see how a cessation at sea should leave the kingdom naked to foreign forces; and is willing to concur in the resistance of all such, of what kind soever; and expects, that during the cessation, the conveying of all forces from one part to another by sea, for the assistance of the earl of Essex, be restrained, which both houses seem now to consent to, though it be not at all expressed in their former articles.

3. *Concerning the power of the Committee.*

His majesty had, and hath great reason to desire, that the committee may have liberty to debate and conclude any differences and expressions in the articles, in order to prevent loss of time. Of this there is a clear evidence, in the consent which his majesty now understands to be given by both houses, that no forces shall, during the cessation, be sent by sea, for the relief of any places held by them; which clause might in much less time have been agreed here, if there had been that liberty. And much time must still be lost, as the committee have not power to explain the meaning of both houses concerning communication of quarters.

4. *Concerning imprisonments.*

It was no part of his majesty's intention, that his article against imprisonment of his subjects, otherwise than according to the known laws of the land, should extend to the destruction of the military discipline of either army. This is an instance of the necessity of enabling some persons to conclude upon these articles, since a limitation of half a dozen words would have saved most of this fourth reason.

5. *Concerning taxes.*

His majesty insists very much, upon the two houses not having a legal power to impose taxes without his consent. And adds, he is very well pleased to find they have need of force and rapine to raise them. He says, he has reason to insist,

1643. inſiſt, that no ſuch violence be uſed towards his ſubjects, for not ſubmitting to illegal impoſitions, being willing to be obliged from the like courſe, and to rely wholly upon the juſtice of his cauſe, and the affection of his people.

6. *Concerning communication of quarters:*

The king's anſwer upon this article was very general and obſcure. He ſays, it highly concerns him, that this and every other clauſe be ſo clear, that no after-differences may ariſe upon any diſputable point, ſince they, whoſe induſtry and malice could perſuade any of his people, that in the buſineſs of Brentford, he had broken a ceſſation before any was made or offered, would have a much eaſier work to lay the breach of a made ceſſation to his charge, if the ground of the breach would bear the leaſt diſpute. He agrees, that in a ceſſation the advantages ſhould be equal, but from this principle draws the inference, That therefore Sir Ralph Hopton, and the earl of Newcaſtle, ought to have the ſame liberty to come to him, as the earl of Stamford, and the lord Fairfax, had to come to the earl of Eſſex [x].

REMARK (1.) This advantage not accruing to both houſes by the ceſſation of arms, ſince they had it before, the king could not pretend to the ſame by virtue of the ſuſpenſion.

He concluded his anſwer with ſaying, "Notwithſtanding "all this, his majeſty, to ſhew his abundant deſire of peace, "is contented to admit a ceſſation upon the matter of their "own articles, ſo that his majeſty may not be underſtood "to conſent to any impoſing upon his ſubjects, or impri- "ſoning them, to force them to contribute; ſo that there "may not be a liberty for any rapine, plundering, or ſeizing "upon his ſubjects by the parliament's ſoldiers, for not "ſubmitting to ſuch illegal impoſitions; for otherwiſe both "houſes may, during the ceſſation, impoſe new taxes, not "only to the nineteenth part, but if they pleaſe, to the half "of, or all their eſtates; and their army would then be at "leiſure to be employed as collectors, as well of the old as "the new impoſitions, and vaſt ſums would and might by "this means be raiſed, to their own extraordinary advan- "tage, and great diſadvantage of his majeſty, who can "neither obtain his own conſent to take the like courſes, "nor, in caſe he could, is he ſo quartered as to have within "the power of his army, any ſuch city as London, or ſo "many and rich counties as they have to retire to on ſuch "an occaſion."

Both

Both houſes having examined the king's anſwer, ſent their committee new inſtructions, wherein they ſaid, "His "majeſty's expreſſions in his anſwer were ſo doubtful, that "they did not think good to conſume any more time in "debates upon the ceſſation, and the rather, as the remain- "der of the whole time for the treaty was but ſeven days, "and if the ceſſation were preſently agreed, it would not "yield any conſiderable advantage to the kingdom. Where- "fore they ſhould deſire his majeſty, to give a ſpeedy and "poſitive anſwer to their firſt propoſition concerning the "diſbanding, that ſo the people might not have the ſhadow, "but the ſubſtance of peace." 1643.

The parliament refuſes to treat any longer about the ceſſation. Ruſhworth, V. p. 191.

Theſe inſtructions being communicated to the king, he returned an anſwer, wherein he endeavoured to ſhow, it was not his fault that a ceſſation of arms was not concluded. He preſſed again, that whatever was thought doubtful in the articles might be expounded, whatever was excepted at might be debated, a ceſſation concluded, and power given to the committee to that end. Id. p. 192.

Theſe are all the tranſactions concerning the ſuſpenſion of arms propoſed by the king, and by which, probably, he had hoped to reap great advantages, had the two houſes been leſs upon their guard. As the conferences on the peace were not to commence till the 25th of March, whatever was done before that day concerning the ceſſation, is to be conſidered, rather as a preparative, than as part of the conferences, though the negotiation concerning the ſuſpenſion was continued till the 7th of April.

Negotiation upon the other propoſitions.

I muſt now ſpeak of the eſſential part of the treaty; relating to the terms offered on both ſides for a peace. As it was agreed to begin with the diſcuſſion of the two firſt reſpective propoſitions, his majeſty's firſt was immediately conſidered. The propoſition was, That his revenue, magazines, towns, ſhips, and forts, ſhould be reſtored. I ſhall relate the principal things urged upon each of theſe heads.

Concerning the revenue.

March the 26th, the commiſſioners preſented to the king a memorial, containing, Ruſhworth, V. p. 196, &c. Clarendon, T. II. p. 107.

"That the two houſes of parliament had not made uſe "of his majeſty's own revenue, but in a very ſmall propor- "tion, which for a good part had been employed in the "maintenance of his majeſty's children, according to the "allowance eſtabliſhed by himſelf: that they would ſatisfy "what ſhould remain due to his majeſty, of thoſe ſums re-

1643. "ceived out of his own revenue; and would leave the ſame "to his majeſty for the time to come. But they likewiſe "propoſed, That he would reſtore what had been taken "for his uſe, upon any of the bills aſſigned to other pur- "poſes, by ſeveral acts of parliament, or out of the provi- "ſion made for the war of Ireland."

The king's anſwer.

"That he was well contented to allow whatſoever had "been employed in the maintenance of his children, and to "receive the arrears due to himſelf, and to be ſure of his "own for the future.

"That he was willing to reſtore all moneys taken for "his uſe by any authority from him, upon any bills aſſigned "to other purpoſes, being aſſured he had received very little "or nothing that way.

"But he expected ſatisfaction for all thoſe ſeveral ſums "received and diverted to other purpoſes, by orders of one "or both houſes, which ought to have been paid upon the "act of pacification with Scotland, or employed for the "diſcharge of the debts of the kingdom, and by other acts "of parliament for the relief of his proteſtant ſubjects of "Ireland."

The next day, the commiſſioners deſired to know of his majeſty, if he would not account his own revenue to be ſure for the future, if both houſes of parliament did leave it in the ſame way as it was before the troubles begun.

The king anſwered, "That by thoſe words *(of being ſure "of his own for the future)* he meant that no reſtraints or "interruption ſhould be made by one or both houſes, in "and upon his majeſty's revenue, but that it ſhould be left "in the ſame way it was before the troubles begun."

It is eaſy to ſee, there were no difficulties upon this article capable of preventing a peace.

Concerning the magazine.

The parliament's commiſſioners offered in writing, "That "all the arms and ammunition taken out of his majeſty's "magazines, ſhould be delivered into his ſtores, and what- "ſoever ſhould be wanting, they would in convenient time "ſupply in kind. But they likewiſe propoſed, That the "perſons to whoſe charge thoſe public magazines ſhould be "committed, being nominated by his majeſty, might be "ſuch as the two houſes of parliament could confide in. "And that he would reſtore all ſuch arms and ammunition,

"as

" as had been taken for his uſe from the ſeveral counties, 1643.
" cities, and towns."

The king's anſwer.

" The magazines ſhall be committed to, and continued
" in the cuſtody of, the ſworn officers, to whoſe places the
" ſame belong. And if any the ſaid officers ſhall forfeit
" that truſt by any miſdemeanours, his majeſty will by no
" means defend them from the juſtice of the law.

" His majeſty will reſtore again, and recompence out of
" his own ſtores, ſuch arms and ammunition as have been
" taken for his uſe out of the ſeveral counties, &c.

" He expects, that the arms and ammunition which have
" been taken from the ſeveral counties and cities, for the
" uſe of the armies under the command of the earl of
" Eſſex, be likewiſe reſtored to them."

Without entring into a more particular diſcuſſion of this article, it ſuffices to ſay, that the whole difficulty lay in both houſes reſerving to themſelves the power of approving ſuch as ſhould be entruſted with the cuſtody of the magazines, and in the king's pretending, that the legal oath of ſuch perſons was a ſufficient ſecurity. And this rendered the concluſion of it impracticable.

Concerning the reſtitution of the towns and forts.

The ſame difficulty occurred upon this article. The two houſes offered to reſtore the towns and forts, but pretended, that they ſhould be delivered into the hands of ſuch perſons as both houſes could confide in, which the king would not agree to. As the commiſſioners urged the neceſſity of giving ſatisfaction to the people, with reſpect to their fears and jealouſies, the king anſwered, That he rather expected, their reaſons ſhould have had ſome foundation in the law of the land, than that they ſhould only have inſiſted upon fears and jealouſies, of which as he did not know the ground, ſo was he ignorant of the cure.

Concerning the ſhips.

It was the ſame with this as with the two foregoing articles. Both houſes required, that the lord high-admiral and all commanders of ſhips ſhould take a particular oath, to uſe their utmoſt power to preſerve the true proteſtant religion, and the peace of the kingdom, againſt all foreign forces, and all other forces raiſed without his majeſty's authority and conſent of the two houſes of parliament. But

1643. the king would not conſent to it, alledging, the oaths which all thoſe officers were by law already obliged to take, were very ſufficient. Only he ſaid, if any thing ſhould be made appear to him neceſſary to be added, when there ſhould be a full and peaceable convention of parliament, he would readily conſent to an act for ſuch addition.

If it is conſidered, what was the occaſion of the war, it will eaſily be perceived, that the execution and not the injunction of the laws was the queſtion. Wherefore the king, in pretending that every thing ſhould be ſettled by the laws, did not meddle in the leaſt with the queſtion to be decided in his diſpute with the parliament.

Ruſhworth, V. p. 206. The king's firſt propoſition having been thus debated in vain, they proceeded to the firſt of the parliament's, which contained two articles; namely, that both armies ſhould be diſbanded, and his majeſty return to his parliament.

The king's anſwer to the firſt was, "That he was willing all armies ſhould be diſbanded, and conceived the beſt way to it to be a ſpeedy concluſion of the treaty, and for that purpoſe he deſired, that the time given to the committee of both houſes to treat might be enlarged."

As to the ſecond, "He would repair to his parliament, as ſoon as he could poſſibly do it with his honour and ſafety."

As the king's anſwer was too general and doubtful, the commiſſioners in writing deſired to know, "If by the words *(a ſpeedy concluſion of the treaty)* he intended a concluſion of the treaty on his firſt propoſition, and their propoſition for diſbanding the armies, or a concluſion of the treaty on all the propoſitions of both parts."

The king anſwered, "That by *a ſpeedy concluſion of the treaty*, he intended ſuch a concluſion of the treaty, as there might be a clear evidence to himſelf and his ſubjects of a future peace, and no ground left for the continuance and growth of the preſent bloody diſſenſions; which, he doubted not, might be obtained, if both houſes ſhould conſent, that the treaty might proceed without further interruption or limitation of days."

This anſwer being no leſs ambiguous than the former, the commiſſioners inſiſted upon an explanation of what they had already deſired; as alſo that he would be pleaſed to let them know, what he intended ſhould be a clear evidence to him and his ſubjects of a future peace.

The king anſwered, "That if the concluſion of the treaty on his firſt propoſition, and the propoſition of both houſes,

" houſes, ſhould be ſo full and perfectly made, that the 1643.
" law of the land might have a full, free, and uninterrupted
" courſe, for the defence and preſervation of the rights of
" his majeſty, both houſes, and his ſubjects, there would
" be thence a clear evidence of a future peace: and this
" would be ſuch a concluſion as he intended. He never
" meant, that both armies ſhould remain undiſbanded until
" all the propoſitions of both ſides were fully concluded.
" But he was very ſorry, that in that point of the propoſi-
" tion of both houſes, viz. his return to the parliament,
" they had yet no manner of power or inſtructions ſo much
" as to treat with him."

The king uſed ſuch general expreſſions, that it was eaſy to ſee, he ſought only to prolong the conferences, or to make ſome advantage of the commiſſioners anſwers. In all appearance, he would alſo have found a freſh occaſion of delay, in the debate of that part of the propoſition concerning his return to the parliament.

April the 10th, the commiſſioners preſented another paper to his majeſty, wherein they ſaid, " That by new inſtruc-
" tions they were commanded to inſiſt upon the diſbanding
" of the two armies, and that both houſes conceived his
" anſwer to be in effect a denial, unleſs they departed from
" all thoſe cautions and limitations contained in their reply
" to his firſt propoſition: that if they had not inſerted their
" deſire of his majeſty's return in their committee's inſtruc-
" tions, it was becauſe they conceived the diſbanding the
" armies would facilitate his reſolution therein."

During the courſe of the negotiation, the king had frequent conferences in private with the commiſſioners. Whitelock relates in his memorials, that in one of theſe conferences, the commiſſioners (of whom he was one) having been with the king till midnight, and preſſed him with their reaſons upon a very material point, his majeſty was prevailed with to give a ſatisfactory anſwer, which would have much conduced to a happy ſucceſs of the treaty, and told them, " *He was fully ſatisfied, and promiſed to let them have his* " *anſwer in writing according to their deſire*;" but becauſe it was then too late to draw it up, he ordered them to wait on him the next morning at ſuch an hour. Accordingly they came, but inſtead of that anſwer, which they expected, the king gave them a paper quite contrary to what was concluded the night before, and very much tending to the breach of the treaty. Whitelock ſays, he was informed by ſome of the king's own friends, that after the commiſſioners

A remarkable circumſtance. Whitelock, p. 68.

1643. were gone from his majesty, and his council also withdrawn, some of his bed-chamber (and they went higher) hearing from himself what answer he had promised, and doubting it would tend to such an issue as they did not wish, they being rather for the continuance of the war, never left persuading the king, till they prevailed with him to change his former resolutions, and give order for his answer to be drawn directly contrary to what he had promised; it being that prince's misfortune to prefer always the opinions of others to his own. Which is an observation confirmed also by the lord Clarendon in his character of king Charles I. [1]. Indeed Whitelock does not say, that the king's answer he mentions, was the same with the following message; but in all likelihood it was so, since it was the cause of breaking off the conferences. However this be, on the 12th of April the king sent this message to both houses, notwithstanding the endeavours of the commissioners to dissuade him from it.

Substance of the king's message to both houses, April 12, 1643.

Rushworth, V. p. 259. Clarendon, T. II. p. 173.

"AS soon as his majesty is satisfied concerning his own revenue, magazines, ships, and ports, to which he desires nothing but that the just, known, legal rights of his majesty (devolved to him from his progenitors) and of the persons trusted by him, which have violently been taken from both, be restored unto him, and unto them.

"As soon as all the members of both houses shall be restored to the same capacity of sitting and voting in parliament as they had upon the first of January 1641, the same of right belonging unto them by their birth-rights, and the free elections of those that sent them, and having been voted from them, for adhering to his majesty in these distractions; his majesty not intending that this should

[1] Whitelock observes farther upon this treaty, that their instructions were very strict, and tied them up to treat with none but the king himself, who, he says, manifested on this occasion, his great parts and abilities, strength of reason, and quickness of apprehension, with much patience in hearing what was objected against him, wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgment upon them. He says also concerning the commissioners, the earl of Northumberland demeaned himself with much courage and wisdom. Mr. Pierrepoint acted his part with deep foresight and prudence. Sir William Ermyn was a gentleman of good understanding and conversation, and would give his opinion upon good reason. Sir John Holland, a gentleman of excellent parts as well as person, shewed a very good judgment and testimony of his abilities. Mr. Whitelock (that is, himself) was put upon very much labour, being employed in drawing up all the papers to the king, which were transcribed afterwards by the secretaries. Whitelock, p. 68, 69.

" ſhould extend either to the biſhops, whoſe votes have 1643.
" been taken away by bill; or to ſuch, in whoſe places
" upon new writs, new elections have been made.

" As ſoon as his majeſty and both houſes may be ſecured
" from ſuch tumultuous aſſemblies, as to the great breach
" of the privileges, and the high diſhonour of parliaments
" having formerly aſſembled about both houſes, and awed
" the members of the ſame, and occaſioned two ſeveral
" complaints from the houſe of lords, and two ſeveral de-
" ſires of that houſe to the houſe of commons, to join in
" a declaration againſt them; the complying with which
" deſire might have prevented all theſe miſerable diſtractions
" which have enſued. Which ſecurity, his majeſty con-
" ceives, can be only ſettled by adjourning the parliament
" to ſome other place, at the leaſt twenty miles from Lon-
" don, the choice of which his majeſty leaves to both houſes.

" His majeſty will then moſt chearfully and readily con-
" ſent, that both armies be immediately diſbanded, and give
" a preſent meeting to both his houſes of parliament at the
" ſame time and place, at, and to which, the parliament
" ſhall agree to be adjourned.

" His majeſty being confident, that the law will then
" recover the due credit and eſtimation, and that upon a
" free debate, in a full and peaceable convention of parlia-
" ment, ſuch proviſions will be made againſt ſeditious preach-
" ings and printing againſt his majeſty, and the eſtabliſhed
" laws, which hath been one of the chief cauſes of the pre-
" ſent diſtractions; and ſuch care will be taken concerning
" the legal and known rights of his majeſty, and the pro-
" perty and liberty of his ſubjects, that whatſoever hath been
" publiſhed or done, in or by colour of any illegal declara-
" tions, ordinances, or order of one or both houſes, or any
" committee of either of them, and particularly the power
" to raiſe arms without his majeſty's conſent, will be in
" ſuch manner recalled, diſclaimed, and provided againſt,
" that no ſeed will remain for the like to ſpring out of for
" the future, to diſturb the peace of the kingdom, and to
" endanger the very being of it."

There was no need of much penetration, to perceive by this meſſage, that the king not only intended to break off the conferences, but alſo was not much inclined to peace. It was indeed very needleſs to enter into treaty, ſince neither king nor parliament would recede from their pretenſions. The ſhorteſt way would have been to diſcuſs the general queſtion, whether there was juſt reaſon to conſide

1643. in the king, and reſtore him to his rights; for every one of the propoſitions offered by both parties neceſſarily led to that queſtion, ſo that none could be decided without this being previouſly determined. If the reſt of the propoſitions had been diſcuſſed, the difficulties would have been ſtill greater, ſince the two parties built upon quite oppoſite principles. But, in all appearance, the king and the parliament had foreſeen what came to paſs, and agreed to the negotiation only to make the people believe they were diſpoſed to a peace. This was equally neceſſary for them, becauſe in the people conſiſted the ſtrength of both ſides.

The conferences are broken off.

As ſoon as both houſes received this meſſage, they ſent their commiſſioners poſitive orders to return, and the conferences ceaſed.

The king's view in propoſing a ceſſation of arms.

It was not without reaſon that the king deſired a ceſſation of arms on the terms by him propoſed, though for never ſo ſhort a ſpace, and that he inſiſted upon communication of quarters. He found himſelf at Oxford unprovided of ammunition, and the queen, who was at York, had brought him a good quantity; but the difficulty was to convey them to Oxford with a ſtrong guard. If therefore the ceſſation of arms had been concluded with the clauſe of communication of quarters, nothing would have hindered the king from ſending for his ammunition from York, without the parliament's being able to complain. For though in the firſt article of the propoſed ceſſation, it was allowed to ſtop all perſons carrying ammunition, it was not ſaid however, that ſuch a conveying was a breach of the ſuſpenſion. Since therefore by the article of communication of quarters, the king might have drawn as many of his troops as he pleaſed from York to Oxford, he might likewiſe, if this article had been granted, have ſent for his ammunition with a guard, which the parliament's forces could not have attacked without breaking the truce, when the guard ſhould have paſſed into their quarters.

The king detaches prince Rupert to eſtabliſh a communication between York and Oxford. Clarendon, V. II. p. 180.

It evidently appears, the king intended to reap this advantage by the ceſſation of arms, which, according to him, was to be only for the eaſe of the people, ſince from the beginning of April, when the treaty was negotiating at Oxford, he detached prince Rupert with twelve hundred horſe and ſeven or eight hundreed foot, to eſtabliſh a communication between York and Oxford, by ſecuring certain places between theſe two cities. The prince marched by Birmingham, a town of the parliament's, garriſoned with a company

The prince takes Birmingham.

company of foot [1], and taking it by ſtorm, made the inhabitants pay a large fine, as a puniſhment for aſſiſting the garriſon to repulſe him [2]. 1643.

After this little conqueſt, the prince marched directly to Litchfield, where he entred without difficulty, the town being open in ſeveral places. But the cathedral, with the cloſe, was a ſort of fortreſs, which he was obliged to beſiege in form, it being ſtrongly garriſoned. At laſt, he drained the moat, and ſprung two mines, one whereof taking effect, he furiouſly ſtormed the place, which was bravely defended by the garriſon: but the dread of not being able to ſtand a ſecond aſſault, cauſed them to deſire to capitulate. The prince granted them an honourable capitulation, being very glad to be freed from the trouble of continuing the ſiege, which had laſted ten days. He intended to puſh his conqueſts farther to the north, in order to make a line of communication between York and Oxford: but the king recalled him from Litchfield, wanting him to raiſe the ſiege of Reading. and Litchfield, Id. p. 182. He is recalled by the king.

The treaty at Oxford being broken off the 15th of April, the earl of Eſſex marched that day from Windſor, and on the next, appeared before Reading. His army conſiſted of ſixteen thouſand foot, and three thouſand horſe; and the garriſon of three hundred horſe, and three thouſand foot. The king was ſo poſſeſſed with the notion, that the parliament's ſoldiers ſerved them unwillingly and by conſtraint, that he iſſued out a proclamation, offering pardon to ſuch as were in the earl of Eſſex's army, a precaution intirely fruitleſs. At the beginning of the ſiege, the governor, Sir Arthur Aſton, being wounded in the head, and forced to keep his chamber, the command was devolved to colonel Richard Fielding, the eldeſt colonel in the garriſon. Siege and taking of Reading by Eſſex. Ruſhworth, V. p. 265, 266, 267. Clarendon, T. II. p. 177.

The king no ſooner heard of the ſiege of Reading, but he ſent away a detachment of horſe, under the command of commiſſary Wilmot, who found means to throw into the town five hundred men and ſome powder. But this ſupply not appearing ſufficient to colonel Fielding, he demanded to capitulate, and a truce was agreed on, during which the beſiegers and the beſieged, mutually gave hoſtages. Id. p. 179.

At

[1] The lord Clarendon ſays, the town had in it a troop of horſe belonging to the garriſon of Litchfield. Tom. II. p. 181.

[2] In the too eager purſuit of the troop of horſe, William Fielding, earl of Denbigh, who from the beginning of the war had been a volunteer in prince Rupert's troop, was wounded, ſo that he died within two or three days. Ibid.

1643. At the same time the king coming with his army within a few miles of Reading, detached Ruthen his general, lately made earl of Forth, who with a thousand musqueteers, vigorously attacked a post [1], by which the king was necessarily to pass, in order to relieve Reading. The earl of Forth was in hopes, that whilst he attacked this post, the garrison would sally out upon the besiegers. But as without knowing it he had made his attack just as the truce was agreed on, there was no sally from the town. So not being able to force the pass, he retreated to the king.

The king tries in vain to relieve the town. Id. p. 183.

Fielding capitulates. April 26.

Mean while, Fielding having negotiated a capitulation with the earl of Essex, found means, before it was entirely concluded, to go in the night to the king, and tell him, he hoped to have liberty to march away with all their arms and baggage. The king approved of the capitulation, which was signed the next day, and the town surrendered to the besiegers. But by one of the articles, which probably Fielding did not tell the king, and which perhaps was not yet agreed on, the earl of Essex excepted the deserters, who could not obtain liberty to march out with the rest of the garrison. When the king's troops came out of the town, and were passing through the enemies guards, the soldiers were insulted, and some waggons plundered, contrary to the articles of the capitulation.

Breach of the capitulation. Id. p. 184. Rushworth, V. p. 267.

Fielding is condemned to die. Clarendon, T. II. p. 185.

The king was very well pleased with saving the garrison of Reading, and indeed that was his principal view in permitting Fielding to capitulate. But when the garrison came to Oxford, several officers complained, that Fielding was too hasty in surrendering a place which could have held out much longer. Nay, some accused him openly of betraying the king. Whereupon he desired to be tried by a council of war, which was granted him. The king, who perhaps had too readily consented to the capitulation, and was incensed at him, when he understood that the place was capable of making a longer defence, could not however find fault with his capitulating, since it was done with his approbation. But his admitting the article whereby the deserters were excepted, was charged to him as a crime, and the king published a declaration, protesting he had not consented to that exception, being very far from refusing protection to any who should leave the enemy, and betake themselves to his service. Fielding was likewise accused of not paying punctual obedience to the king's orders: but what

[1] Caversham bridge, defended by the lord Roberts's and Berkley's regiments.

what theſe orders were I have not been able to find[1]. However this be, Fielding was ſentenced by the council of war to loſe his head: which ſentence, after long interceſſion, was remitted by the king; but his regiment was given to another. Probably, he was too haſty to conclude the capitulation, and had not fully declared to the king, the true ſtate of the place. But as he could not be condemned for that, ſince he had the king's conſent to capitulate, other pretences were ſought. This ſentence occaſioned great diſſention in the king's army, ſome endeavouring to vindicate it, whilſt others paſſionately repreſented it as the moſt unjuſt that ever was given in the like caſe. 1643. Id. p. 187.

The king upon a falſe alarm, is going to quit Oxford.

The earl of Clarendon ſays, the king having received wrong intelligence, that the earl of Eſſex, after the taking of Reading, was marching directly to Oxford, reſolved to retire into the north to join the earl of Newcaſtle. But it was only a falſe alarm. The earl of Eſſex was ſo little able to beſiege Oxford, that he was forced on the contrary to remain above ſix weeks at Reading, without being able to act, by reaſon of the ſickneſs which infeſted his army.

Sickneſs in the parliament's army. Clarendon, T. II. p. 188. Ruſhworth, V. p. 290.

Whilſt the treaty for peace was negotiating at Oxford, Sir William Waller continued his conqueſts along the Severn, where having defeated lord Herbert of Ragland, ſon to the marquiſs of Worceſter, he became maſter of Hereford. But in aſſaulting Worceſter he was repulſed, after which he went and joined the earl of Eſſex before Reading.

Waller takes Hereford. Id. p. 263. Clarendon, T. II. p. 179, 180.

As the war was ſpread in all parts of the kingdom, the military actions of this ſecond campaign, cannot, without confuſion, be ſpoken of according to the order of time. And therefore I chuſe rather to follow the order of the places, and ſpeak firſt of what paſſed in the middle of the kingdom, where the two principal armies lay. I ſhall relate next the chief events that happened in the weſt; and laſtly, ſhall proceed to what paſſed in the north, and on the borders of the eaſtern counties. Theſe being aſſociated by the parliament, and well provided with troops, the king had not many opportunities to carry the war thither. As for the ſouthern counties, nothing conſiderable was acted there this campaign. After that, I ſhall reſume what paſſed of any moment, with regard to civil affairs, during the courſe of the year 1643. This method has alſo its inconveniences: but I ſhall endeavour to avoid them in part, by marking the exact time of every event, that the cauſes and motives as well

Order of the matters for the campaign of the year 1643.

[1] For ſome ſuch he had received in this agitation, ſays the lord Clarendon, which he had not preciſely obſerved. Tom. II. p. 187.

1643. well of the civil as military actions may be more eaſily known.

The parliament thinks of beſieging Oxford. Clarendon, II. p. 201.

The taking of Reading ſeemed to be a good omen to the parliament for the reſt of the campaign. But, as I ſaid, the great mortality among the earl of Eſſex's ſoldiers, ſuffered him not to improve that advantage. After the ſurrender of Reading, both houſes thought of no leſs than beſieging Oxford, where the king was in great diſtreſs for want of warlike ſtores. In all appearance, the intelligence he had received, that the earl of Eſſex was going to march thither, came from ſome friends at London, who knowing it was the parliament's deſign, did not queſtion, it would be put in execution. Mean while, the king received ſome ammunition in May, and as his enemies were not in condition to make any attempt, he remained quiet at Oxford.

The earl of Eſſex marches towards Oxford, and advances as far as Thame. Ruſhworth, V. p. 290.

At length, after a ſix weeks ſtay at Reading, the earl of Eſſex marched towards Oxford, rather out of condeſcenſion to the parliament, than in expectation of making any progreſs, by reaſon of the ill ſtate of the army. He advanced however to Thame, within ten miles of Oxford, where he ſtopped [1].

Colonel Hurry deſerts, and informs prince Rupert of the diſpoſition of the parliament's army.

There was in his army a Scotch colonel named Hurry, who had ſerved in Germany with the earl of Forth, the king's general, with whom he kept a ſecret correſpondence. As ſoon as the earl of Eſſex approached Oxford, Hurry quitted the parliament's ſervice, and went over to the king, who received him very graciouſly. After that, he informed prince Rupert of the ſituation of the quarters of the parliament's army, and perſuaded him to make an attempt upon the enemy. So the prince going from Oxford in the evening with a body of horſe, took a long circuit, and at break of day came to Wickham, where beating up the quarters of two regiments, one of horſe, the other of foot, he cut them in pieces. Then he attacked another quarter with the ſame ſucceſs, after which he reſolved to retire by a bridge, where he had left a guard. But the earl of Eſſex having now taken the alarm, had detached ſome troops to intercept the prince, who was to croſs Chaldgrave field, and enter a lane, which led to the bridge. The earl of Eſſex's horſe not giving the prince time to reach the bridge, he choſe rather to expect them in an open field, than enter the lane with the enemy in his rear. He charged therefore theſe horſe with ſuch bravery, that he put them to flight towards a body of foot, which the earl of Eſſex was leading himſelf.

The prince beats up two of the enemies quarters, and retires. June 18. Clarendon, II. p. 201, 202. Chaldgrave field. Id. p. 203. Ruſhworth, V. p. 274.

Whilſt

[1] The lord Clarendon ſays, That the deſign of his marching thither, was rather to ſecure Buckinghamſhire, which was now infeſted by the king's horſe, than to diſquiet Oxford. Tom. II. p. 201.

Whilſt the horſe were flying, the prince paſſed the lane and bridge, and entered Oxford in triumph [1]. Upon the firſt alarm at the head-quarters, Mr. Hambden, colonel of foot mounted his horſe, and rode as a volunteer in the regiment ordered to intercept the prince. He was ſhot in the ſhoulder in this action, and within few days died of the wound. He was a perſon very eminent in his party, both for his courage as an officer in the army, and for his wiſdom and capacity as a member of parliament. He had given a good proof of his firmneſs in his famous trial concerning ſhip-money. 1643. where Hambden is ſlain. June 24. Clarendon, II. p. 204.

After this loſs, the earl of Eſſex, whoſe army was in a very ill ſtate, thought not proper to remain longer at Thame. He put his troops into quarters of refreſhment at St. Albans, Uxbridge, and the neighbouring parts, till they ſhould be recruited and furniſhed with many things they wanted, which the parliament did not ſeem much to regard, either from inability, or for ſome other reaſon. Id. p. 206, 226.

From that time, the king's military affairs began to flouriſh, and the parliament was extremely embaraſſed. The queen joined the king the 13th of July, and brought him two thouſand foot, a thouſand horſe, a hundred waggons laden with ammunition of all ſorts, ſix pieces of cannon, and two mortars. On the other ſide, Sir William Waller, ſent into the weſt by the parliament, had the ill fortune to be defeated, and his army was ſo diſperſed, that it was no longer ſerviceable [2]. In this juncture it was that the king reſolved to beſiege Briſtol by prince Rupert, with whom was joined the Corniſh army that had vanquiſhed Sir William Waller. The queen brings the king a great ſupply. Ruſhworth, V. p. 274. Id. p. 284. Clarendon, II. p. 226, 234.

The 22d of July, prince Rupert incamped before Briſtol, and the ſame day, with the aſſiſtance of ſome ſailors, who had been gained, he ſeized the ſhips in King-road, laden with goods of great value, which the inhabitants of Briſtol had thought to ſecure there. Prince Rupert beſieges Briſtol. Ruſhworth, V. p. 284.

On the morrow, the prince holding a council of war, it was reſolved to proceed by aſſault, and not by approach. The walls muſt have been very weak, otherwiſe, it can hardly be conceived, that the beſiegers ſhould reſolve to ſtorm two days after their arrival, eſpecially as there was a numerous garriſon in the place [3]. However this be, the next He ſtorms the town. Ibid. Clarendon, II. p. 226.

[1] With near two hundred priſoners, ſeven cornets of horſe, and four enſigns of foot. Among other perſons of note, colonel Gunter was ſlain. Clarendon, Tom. II. p. 203, 204.

[2] He loſt two battles. The battle of Lanſdown, July 5, wherein Sir Bevil Greenvil was ſlain; and the battle of Roundway-down, July 13, as will be ſeen hereafter. Ruſhworth, Tom. V. p. 227.

[3] The garriſon conſiſted of two thouſand five hundred foot, and a regiment of horſe and dragoons. Clarendon, Tom. II. p. 227.

1643. next day both armies attacked the city, each at three several places, so that the garrison were forced to divide themselves into six bodies to defend the walls. The Cornish army was repulsed with great slaughter in their three assaults. The two divisions of prince Rupert's were likewise repulsed: but the third commanded by colonel Washington had better success, the colonel finding means to make a breach in the wall large enough for the prince to enter with his horse. But this advantage only put him in possession of the suburbs, beyond which was the city-wall, much stronger than what he had passed. However, he marched up the street to Frome-gate, where he was forced to halt, and where he lost many of his men, who were shot by the inhabitants from the walls and windows [1].

The governor capitulates. Id. p. 228.

What the prince had gained was so inconsiderable, that probably, the siege would still have cost much time, and many lives, if the governor had not lost his presence of mind, and ordered a parley to be beaten. The governor was colonel Nathaniel Fiennes, who at the beginning of this parliament, had made in the house of commons several fine speeches against the king, but who, in all appearance, was not very skilful in the art of war. The prince immediately granted the desired capitulation, thinking himself very happy to gain a place of that importance in so short a time.

Breach of the capitulation. Id. p. 229.

The capitulation was ill observed by the king's soldiers, who stripped those of the garrison, and made themselves more than amends for the breach of the capitulation at Reading, whether it was done with or without the connivance of the generals.

Fiennes the governor condemned to die. State-Try. Vol. I.

Fiennes was imprisoned for his cowardly surrender of Bristol, and some months after condemned to die by a council of war. But he was reprieved by the earl of Essex, and passed the residue of his days beyond-sea.

The king resolves to besiege Gloucester. Clarendon, II. p. 241.

The taking of Bristol infusing fresh hopes into the king, he was willing to improve the present opportunity, whilst the parliament had no army ready to oppose his progress. He resolved therefore to besiege Gloucester, the possession whereof would have been of great consequence to him. By it he would have been master of all the Severn, from Bristol to Shrewsbury, and of the whole country between that river and Wales, where there would have been only Hereford, which probably would have quickly surrendered. By that means, he would not only have extended his quarters into a very

[1] Sir Nicholas Slanning, colonel Trevannion, the lord Grandison, major Kendal were slain; and about five hundred men besides. Idem, p. 230.

very good country, but alſo ſecured a communication from Cornwal to the northern counties. For as the parliament had no army in the weſt, ſince Waller's defeat, the communication of the weſtern-counties with Briſtol could not be interrupted. The taking of Gloceſter would have opened a communication from Briſtol to Shrewſbury, and from thence to the north, by means of Lancaſhire, which was more for him than for the parliament. Beſides that, the taking of Gloceſter would have ſecured him the poſſeſſion of Wales, where the parliament would have had no entrance but by ſea. If therefore even ſome of his friends have blamed him for undertaking this ſiege, it may be affirmed, the ill ſucceſs was the beſt foundation of their opinion. For my part, I believe, he had all the reaſon in the world to undertake it, at a time when there was no likelihood that the earl of Eſſex's army could be ready ſoon enough to hinder that conqueſt. The lord Clarendon pretends to diſcover a ſecret which confirmed the king in his reſolution. He ſays, the king having ſent a meſſenger to colonel Maſſy governor of Gloceſter, to perſuade him to deliver the place, Maſſy in publick anſwered in a high ſtyle, but in private bid the meſſenger tell the king, "that if he came himſelf "to beſiege the town, he would not hold it againſt him, "for it would not ſtand with his conſcience to fight againſt "the perſon of the king[1]." But the ſequel ſhowed, either that Maſſy had altered his mind, or the king had taken a mere compliment for a poſitive promiſe, ſince in the defence of the place Maſſy was very far from expreſſing the leaſt inclination to favour the king. This prince was ever poſſeſſed with the notion, that thoſe who bore arms againſt him acted contrary to the dictates of their conſcience, and readily believed, they only wanted an opportunity to ſerve him, wherein he was frequently miſtaken.

1643.

Id. p. 248.

Nothing ſhows more clearly how advantageous to the king the taking of Gloceſter would have been, than the parliament's alarm when they heard the firſt news of his marching to form the ſiege. Whereas before, the earl of Eſſex's army was ſuffered to decay, all endeavours were uſed to recruit it the moment the king's intention was known. Care was taken to complete the regiments by freſh

The parliament is alarmed.

The earl of Eſſex's army is recruited. Ruſhworth, V. p. 291.

[1] The lord Clarendon does not ſay, the king ſent a meſſenger, but that colonel Leg, under whom Maſſy had ſerved in the king's army, ſent him a letter of kindneſs and overture, as was proper in ſuch a caſe from one friend to another. To which letter Maſſy returned an anſwer in a high ſtile, but told the meſſenger in private as above. Tom. II. p. 242.

1643. freſh levies of ſoldiers, raiſed in London with all poſſible expedition. And to facilitate theſe levies, the parliament ordered the ſhops to be ſhut up till Gloceſter ſhould be relieved, and moreover, the earl of Eſſex's army was ſtrengthned with a numerous body of the city trained-bands. Theſe things were done with that diligence, that in fifteen days the earl of Eſſex was ready to march to the relief of the beſieged.

The king beſieges Gloceſter. Aug. 10. Id. p. 286, 287, &c. 292. Clarendon, II. p. 243, 252.

The king came before Gloceſter the 10th of Auguſt, with about eight thouſand horſe and foot, and immediately ordered the approaches to be begun, which however were not ſo vigorouſly puſhed as was expected, by reaſon of the frequent ſallies of the beſieged. Beſides, the king was obliged to go to Oxford, which made him loſe ſome days. The earl of Eſſex beginning to march the 26th of Auguſt, arrived in few days near Gloceſter, and advancing to Preſbury-hills, drew up his whole army in view of the city, expecting the king would come and give him battle. But the king not thinking fit to run any hazard, raiſed the ſiege, which could not be done without great diſorder [1]. The earl of Eſſex marching into Gloceſter, found the beſieged reduced to a ſingle barrel of powder, and no better provided with other ſtores [2]. After ſtaying there three days [3], he departed towards London, paſſing through Tewkeſbury in his way. He marched two days before the king knew he was gone, and ſurprized the town of Cirenceſter, where lay two regiments [4]. After that he croſſed north Wiltſhire,

He raiſes the ſiege upon Eſſex's approach. Sept. 5. Id. p. 265. Ruſhworth, V. p. 290. T. May. Eſſex returns. Clarendon, H. p. 266. Ruſhworth, V. p. 292. The king follows him.

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[1] Whitelock has a particular not mentioned by the lord Clarendon, viz. his majeſty underſtanding that Eſſex advanced apace to the relief of Gloceſter, ſent a trumpet to him, with ſome propoſitions to be treated on. But Eſſex, much acquainted with ſuch ſmall deſigns to hinder his march, returned a ſpeedy anſwer, "That he had no "commiſſion to treat, but to relieve "Gloceſter, which he was reſolved to "do, or to loſe his life there." And his ſoldiers hearing of a trumpeter come with propoſitions to treat, cried out for a long time together, with loud acclamations, "No propoſitions, no "propoſitions." So their trumpeter was diſmiſſed. Whitelock, p. 72.

[2] Their whole ſtrength of ſoldiers, horſe, foot, and dragoons, together with the trained-bands, did not at firſt conſiſt of above fourteen hundred; forty, or at the moſt, fifty barrels of powder was all their ſtore, and a mean and ſlender artillery. Ruſhworth, Tom. V. p. 287.

[3] And in that time, ſays the lord Clarendon, which was as wonderful as any part of the ſtory, cauſed all neceſſary proviſions to be brought in to them, out of thoſe very quarters in which the king's army had been ſuſtained, and which they conceived to be entirely ſpent: ſo ſolicitous were the people to conceal what they had, and to reſerve it for them. Tom. II. p. 265.

[4] And took forty loads of proviſions, ſix ſtandards, three hundred common ſoldiers, and four hundred horſes, the ſaid forces being deſigned for Kent, to raiſe an army there for the king, and Sir Nicholas Criſpe to command them. Ruſhworth, Tom. V. p. 292. Rapin, by miſtake, ſays Chicheſter, inſtead of Cirenceſter.

a deep and incloſed country, which obliged him to make very ſhort marches. 1643.

As ſoon as the king had notice of the enemies march and rout, he departed alſo in order to follow them, ſending prince Rupert before with all his cavalry, conſiſting of five thouſand horſe. It is likely, his intention was that the prince ſhould poſt himſelf between London and the parliament's army, whilſt he followed and put the army between him and his cavalry. Be this as it will, for it is not eaſy to gueſs the king's deſign, prince Rupert came up with the earl of Eſſex, as he was marching over Auborn-chace, intending to have reached Newbury that night. There inſued in this place a ſharp conflict, prince Rupert having charged the earl's rear, who were put into ſome diſorder. The marquis of La Vieuville a Frenchman [1], who ſerved the king as a volunteer, was killed in this action. This conflict obliged the earl of Eſſex to quarter at Hungerford. The next day he continued his march towards Newbury, but found that the king had prevented him by two hours, and poſted himſelf near the town. Prince Rupert, after the action of the foregoing day, went and joined the king.

Sept. 18. Ruſhworth, V. p. 293. Clarendon, II. p. 266.

The king goes to Newbury before Eſſex. Sept. 19.

The two armies, being too near each other to part without blows, prepared for battle, and the fight begun [2]. Prince Rupert, as uſual, performed wonders with his horſe. He quickly made the parliament's cavalry give way: but took care not to commit the ſame fault he had done at Edgehill, by purſuing the runaways too far. After he had routed the enemies horſe, he charged their infantry, who, though deſtitute of the aſſiſtance of the cavalry, received him with ſuch intrepidity, that he could make no impreſſion on their ſtand of pikes, but was forced to wheel about. It was fought all the reſt of the day with pretty equal ſucceſs. But in the night the king retired with his army, and left the way open to the earl of Eſſex to proceed to Newbury, where he intended to lodge the night before. Next day, the earl of Eſſex ſeeing the coaſt clear, purſued his march, and paſſing through Newbury, arrived at Reading as he had before reſolved. Prince Rupert, who followed him, ſeeing him entered into the narrow lanes, attacked his rear, put them in diſorder, and took ſome priſoners: but prevented not the earl from continuing his march. He remained two days at Reading to refreſh his troops, and without leaving a garriſon in

The firſt battle of Newbury. Sept. 30. Id. p. 267. &c. Ruſhworth, V. p. 293. T. May.

[1] He had attended the queen out of Holland. Clarendon, Tom. II. p. 266.

[2] Eſſex had been forced to lodge in the field all night. Idem. p. 267.

1643. in the place, which was poſſeſſed by the king's forces after his departure, returned to his old quarters. The king loſt in this battle above twenty officers of note, and among others Henry Spencer earl of Sunderland, Robert Dormer earl of Caernarvan, and Lucius Carey Lord Falkland ſecretary of ſtate, who would be preſent at the fight, though he had no call, not being a military officer [1].

Remark on the lord Clarendon's deſcription of the battle.

I have taken the deſcription of this battle from the lord Clarendon, which by many omiſſions is rendered obſcure. Among others, it does not appear what the king did with his infantry. This gives occaſion to preſume, that his foot were routed when prince Rupert charged the parliament's. For otherwiſe, it can't be conceived, how theſe laſt could have reſiſted, had they been attacked by the king's infantry and cavalry at once. Neither is it ſeen in this deſcription, why the king left the field of battle in the night, ſince it does not appear that he had received any conſiderable loſs. Nevertheleſs, the lord Clarendon endeavours to prove, though by weak arguments, that the king gained the victory. I believe it would be very eaſy to confute his reaſons, were there any occaſion. I ſhall content myſelf with ſaying in general, that the earl of Eſſex's deſign, at his departure from Gloceſter, was to return to his former quarters about London, and that the battle of Newbury hindered him not from executing it, whereas the king's intention was probably to intercept the earl of Eſſex's paſſage, which he could not effect [2].

Sept. 23. Ruſhworth, V. p. 295.

After the battle, the king retiring to Oxford, and the earl of Eſſex to Windſor, neither had much ſhare in the actions.

[1] Being diſſuaded by his friends to go into the fight, he ſaid, "He was "weary of the times, and foreſaw "much miſery to his country, and did "believe he ſhould be out of it ere "Night." His death, ſays Whitelock, was lamented by all that knew or heard of him; being a gentleman of great parts, ingenuity, and honour; courteous to all, and a paſſionate promoter of all endeavours of peace betwixt the king and parliament. He was ſlain in the 34th year of his age. Whitelock, p. 73.

[2] Whitelock's account of Newbury fight is briefly this: Eſſex finding his ſoldiers full of mettle, and reſolved to force their way, he led them in perſon, and firſt charged the enemy with his own regiment and the lord Roberts's brigade of horſe; the fight began about ſix o'clock in the morning, Sept. 20, and held with very hot ſervice till ten or eleven at night. The parliament's forces beat the enemy from all their advantages, got the hill from them on, which they were poſted, purſued them to Newbury, and out of the town again, but the night coming on, they could purſue them no further; and though the king's forces (eſpecially the horſe conſiſting moſt of gentlemen) made a gallant reſiſtance, yet this place not being proper for their fight, their foot were thus beaten, and in the night marched away, leaving Eſſex maſter of the field, whoſe ſoldiers had the pillage of the dead bodies. Whitelock, p. 73.—This battle laſted from ſeven o'clock in the morning, till ſeven or eight at night. Ruſhworth, Tom. V. p. 295.

actions of the reſt of the campaign. I ſhall proceed therefore to other parts of the kingdom, where the war was continued, and particularly in the weſt, where it was very ſharp. 1643.

I have already ſaid in ſpeaking of the affairs of thoſe parts, that the parliament did not think proper to conſent to the neutrality entered into by the counties of Devon and Cornwal. On the contrary, they reſolved to carry the war into Cornwal, which had declared for the king. To that end, about the beginning of May, whilſt the king's troops were at Lanceſton, few in number, and very ſhort of proviſions, Henry Grey earl of Stamford, the parliament's general in the weſt, entered Cornwal with an army of ſeven thouſand men. He poſted himſelf on the top of a hill near Stratton, from whence he ſent a party of twelve hundred horſe, under the command of Sir George Chudleigh, to Bodmin, a town in the middle of the county, in order to keep it in awe and hinder the militia from joining the king's forces as they had once before done. Sir Ralph Hopton, who commanded for the king at Lanceſton, and had but three thouſand men, eaſily ſaw he ſhould be driven out of the county, unleſs he found means to avoid it by ſome notable action. This made him reſolve to march to the enemies, though they were much ſuperior in number, and advantageouſly poſted. The earl of Stamford thought himſelf ſo ſecure from any attack, that though he had frequent notice of the enemies approach he could not believe it. Indeed, it would have been raſh in Sir Ralph Hopton, to attack him with ſo great diſadvantage, had there been any other way to ſave the county for the king. However that be, the 16th of May, approaching the hill on which the earl of Stamford was incamped, he ordered him to be attacked at four ſeveral places [1]. As the aſſailants were reſolved to conquer or die, they gained, though with great difficulty, the top of the hill, which their enemies were at length forced to relinquiſh, after ſuſtaining the charge many hours. In this action the earl of Stamford had only three hundred men killed, but left ſeventeen hundred in the hands of the enemy. Among theſe priſoners was major-general Chudleigh, who being carried to

The war in the weſt.

The earl of Stamford, general for the parliament, enters Cornwal. Clarendon, H. p. 207. Ruſhworth, V. p. 271.

The battle of Stratton. Stamford defeated by Hopton. Clarendon, H. p. 208. Ruſhworth, V. p. 267. Id. p. 272.

[1] The four diviſions of the little army were led on, the firſt by the lord Mohun and Sir Ralph Hopton; the ſecond by Sir John Berkley and Sir Bevil Greenvil; the third by Sir Nicholas Slanning and colonel Trevannion; the fourth by colonel Baſſet and colonel William Godolphin. In memory of this battle, Sir Ralph Hopton was afterwards created lord Hopton of Stratton. As for the twelve hundred horſe ſent to Bodmin, under the command of Sir George Chudleigh, father to the major-general, upon the news of the defeat, Sir George, with as many as he could keep together, got into Plymouth. Clarendon, Tom. II. p. 208.

1643. Oxford, turned to the king. The earl of Stamford, whether to excuſe his defeat, or upon ſome grounds, openly complained, that Chudleigh had betrayed him, and in the heat of the battle turning againſt him, charged him with the body under his command. The earl of Clarendon pretends it was a ſcandal; but I imagine few now are concerned to know the truth [1].

Id. p. 272.

Id. p. 208.

The king ſends the marquis of Hertford into the weſt. Clarendon, T. II. p. 210, 211.

After this battle the earl of Stamford throwing himſelf into Exeter, his army being diſperſed, and the party of horſe ſent to Bodmin, thinking proper to retire to Plymouth, Hopton remained maſter of Cornwal. Shortly after he was informed by a meſſenger from Oxford, that the parliament had reſolved to ſend Sir William Waller into the weſt, with forces to join the remains of the earl of Stamford's army and ſome levies that were to be raiſed in that country, and that the king on his part was ſending thither the marquis of Hertford and prince Maurice with a body of troops, who were now upon their march. This made him think, it would be very proper for his little Corniſh army (ſo it was now called) to join the marquis's forces. He marched therefore into Devonſhire, leaving a party at Saltaſh to defend Cornwal from any incurſions of Plymouth, and advanced to Tiverton, where he expected orders from the marquis. Preſently after, hearing the marquis of Hertford was come to Chard, a town in Somerſetſhire, on the edge of Devonſhire, with ſeventeen hundred horſe and one thouſand foot, he went and joined him, and the two bodies together formed an army of ſeven thouſand men. Taunton, a large town in Somerſetſhire, was the firſt the marquis of Hertford reſolved to attack: but the garriſon ſaved him the labour, by retiring to Bridgewater, on account of a ſedition raiſed by the inhabitants. On the morrow, the parliament's troops quitted alſo Bridgewater, and in few days Dunſtar caſtle was ſurrendered to the king [2].

Hopton joins him. Id. p. 212.

The marquis takes Bridgewater and Taunton. Id. p. 213.

He marches againſt Waller. Clarendon, II. p. 215.

The marquis of Hertford having ſtaid about Taunton ſome days, heard at laſt that Sir William Waller was within two days march of him, drawing troops together with the utmoſt diligence, and expecting more from London and Briſtol. Whereupon he reſolved to attack him, without giving

[1] Ruſhworth ſays, that by letters afterwards intercepted to his father Sir George, it appeared to have been a deſigned thing; whereupon his father, to prevent any ſuſpicion of himſelf, ſurrendered his commiſſion; and ſhortly after, publiſhed a ſort of declaration, which is to be ſeen in Ruſhworth, Tom. 5. p. 272.

[2] By Mr. Lutterel the owner, who thereupon was made governor of it by the marquis. Sir John Stawel was made governor of Taunton, and Edmund Windham of Bridgwater. Clarendon, Tom. 2. p. 213.

giving him time to ſtrengthen his army any more. Whilſt he was preparing to execute this deſign, the committee of the militia, who were levying forces [1] in thoſe parts to join them with Waller's, perceiving a favourable opportunity, beat up one of the marquis's quarters, who was now advanced to Somerton, and gave ſo briſk an alarm to the king's troops, that the marquis was forced to draw out the whole army. Then the parliament's forces retired to Wells: but ſeeing they were purſued, quitted Wells, and poſted themſelves on the top of Mendip hill, which overlooks the city. The marquis of Hertford being come to Wells, ſtayed there, the day being far ſpent. But prince Maurice, Sir Ralph Hopton, and the earl of Carnarvan, taking the enemies retreat for a flight, went out with two regiments of horſe to purſue them, and marched directly to them. Whereupon the parliament's forces being moſtly foot, and few in number, retired in order to join a detachment of horſe ſent by Waller to ſupport them. But the earl of Carnarvan, who was fartheſt advanced, gave them not time to retreat in good order. As they were obliged to paſs through a lane, he entered after them, and purſued them beyond, till he met with Waller's horſe, who ſtopped his career, and compelled him to retire in his turn with great precipitation. Prince Maurice coming to his relief, a warm action enſued, wherein the prince received two cuts in his head, and was beaten off his horſe, but was fortunately relieved. Night obliged both parties to retire, the king's to Wells, and the parliament's to Bath. 1643.

An action wherein prince Maurice is wounded. Id. p. 216.

Some days after, the marquis of Hertford, knowing Waller's army daily increaſed, marched towards Bath to try to draw him to an engagement. But Waller having his reaſons to defer it, becauſe he ſtill expected freſh ſupplies, the marquis advanced to Marsfield, five miles beyond Bath towards Oxford. Whereupon Waller, whoſe chief buſineſs was to hinder him from joining with the king, marched out of Bath, and drew up his army on Lanſdown, expecting the enemies, who failed not to move towards him. As the marquis of Hertford was in a country ſo diſaffected to the king, that only force could procure him any ſupply or relief; and as beſides, he was advanced beyond Bath on purpoſe to engage them to fight, he was unwilling to loſe the opportunity. In this action, which was called the battle

The marquis of Hertford tries to engage Waller to fight. Id. p. 217.

Battle of Lanſdown, wherein the marquis loſt moſt of his horſe. July 5. Id. p. 218. Rushworth, V. p. 284.

[1] Theſe forces conſiſted not only of new raiſed men, but alſo the remains of thoſe horſe and dragoons that eſcaped out of Cornwal, after the battle of Stratton, and the ſoldiers that fled from Taunton, &c. Clarendon, Vol. 2. p. 215.

1643. tle of Lansdown, of his two thousand horse the marquis of Hertford lost above fifteen hundred. But on the other hand, he drove Waller from his post, and compelled him to give way about demi-culvering shot. The next day, Waller retired to Bath; and the marquis entirely remained master of the field [1].

The marquis leaves his infantry at the Devizes, and marched to Oxford with the remains of his horse. Clarendon, II. p. 222.

But this inconsiderable advantage, gained with the loss of almost all his horse, threw him into a very ill situation. He had been sent into the West to drive Sir William Waller from thence, and yet, after the battle, Waller was between the king's army and the western counties, where the marquis could penetrate but by a second battle, which he was not in condition to hazard, as being without horse. This made him resolve to march to the Devizes, leave there his infantry under the command of Sir Ralph Hopton [2], and break through to Oxford, with the prince and the remainder of the horse, in expectation of returning from thence with a body of cavalry strong enough to bring off the foot he should leave at the Devizes, which was but thirty miles from Oxford. This resolution was pursued. But as soon as he had quitted his infantry at the Devizes, Waller came before the town with his whole army, and invested these troops, who were in a very ill state by reason of the scarcity of provisions. As he was sensible, the besieged could not remain long in such a state, he made them an overture of capitulating with him, which Hopton gladly embraced, in the uncertainty whether any supplies would come from Oxford, or would arrive soon enough. He entered therefore into treaty with Waller: but with intention to prolong it as much as possible, and not yield to the last extremity, as expecting every moment to be relieved from Oxford. Waller was so confident that they were at his mercy, that he had sent the parliament word, "That their business was "done," and by the next post he would send the number "and quality of his prisoners."

Waller besieges the infantry at the Devizes. July 11. Ibid. Rushworth, V. p. 285. T. May.

Hopton feigns to capitulate.

Mean while, the marquis of Hertford and prince Maurice being come to Oxford, and having represented to the king the distress of his troops at the Devizes, his majesty imme-

Wilmot sent to relieve the Devizes. Clarendon, II. p. 223.

[1] In this battle, as was before observed, fell Sir Bevil Greenvil. This was the first time the king's horse had turned from an enemy, occasioned, it seems, by a regiment of cuirassiers commanded by Sir Arthur Haslerig, which were so compleatly armed, that they were called the *regiment of lobsters*. Just after the battle, Sir Ralph Hopton was miserably hurt by the accidental blowing up of some powder. Idem, p. 220.

[2] Who was now past danger, and could hear and speak, though he could not see or stir; with him were left the earl of Marlborough, general of the artillery, and the lord Mohun. Clarendon, Vol. 2. p. 221.

immediately ſent the lord Wilmot with fifteen hundred horſe, who came within two miles of the Devizes before the capitulation between Hopton and Waller was ſigned. 1643.

Waller was no ſooner informed of the enemies approach, but he drew up, without drum or trumpet, his whole army on Roundway Down, over which the king's troops were neceſſarily to paſs in order to join thoſe in the town. Wilmot, finding he could not execute his deſign without fighting, drew up within muſquet-ſhot of Waller's army. But perhaps he would have thought of it more than once, before he attacked with fifteen hundred horſe an army ſo ſuperior in number, had not Waller begun the fight, by charging the enemy with a regiment of cuiraſſiers lately ſent from London, and which till now had been deemed invincible[s]. This regiment was vigorouſly repulſed, and retreating in diſorder, infuſed ſuch a terror into Waller's troops, that they made but a faint reſiſtance. Mean while Hopton ſeeing from the town the diſorder of the enemies, came out with his foot, and bravely ſeconding Wilmot, who for his part did not give the enemies time to recover themſelves, they quickly put the whole army to rout, killed five or ſix thouſand men, and took nine hundred priſoners. Waller, after his defeat, eſcaped to Briſtol. He complained very much of the earl of Eſſex, who, lying then at Thame, had ſuffered Wilmot to paſs without ſending a party after him, or giving the alarm to Oxford, which would have cauſed Wilmot to be recalled. The earl of Eſſex on the other hand, who was no friend to Waller, could not forbear ſaying ſome reproachful things on his defeat. This bred ſuch enmity betwixt them, that it might have been very prejudicial to their party, had not the parliament taken care to reconcile them.

Battle of Roundway-down, where Waller is entirely routed. July 5. Rushworth, V. p. 285. Clarendon, II. p. 223, 224.

Quarrel between Eſſex and Waller. Clarendon, II. p. 225, 277.

After ſo complete a victory, the lord Wilmot returned in triumph to Oxford, and the marquis of Hertford, taking the command of the army, appeared before the city of Bath, the gates whereof were opened at the firſt ſummons. Preſently after, the king, having reſolved to beſiege Briſtol, as was before related, ordered the Corniſh army to join prince Rupert at the ſiege. As ſoon as he was maſter of Briſtol, he reſolved to ſend an army into the weſt, under the

Id. p. 226.

The king ſends prince Maurice to command in the weſt. Id. p. 240, 257, 258, 259.

M 4

[s] This was the regiment of lobſters before mentioned, which, according to Rushworth, gallantly led on by Sir Arthur Hallerig, leaving the foot, charged the king's forces very diſadvantageously, and ſo were preſently routed. Whitelock ſays, Waller's horſe, upon a panick fear, fled, and left the foot to the mercy of the enemy. Rushworth, Tom. 5. p. 285. Whitlock, p. 79.

1643. the command of prince Maurice, and to keep the marquis of Hertford near his perſon. To that end, he gave orders to Robert Dormer earl of Carnarvan, who was to ſerve under prince Maurice, to advance towards the weſt with a party of horſe, whilſt the prince ſhould follow with the infantry, of which the Corniſh army made the beſt part. The earl of Carnarvan marched firſt into Dorſetſhire, which declared for the parliament, and took Weymouth, Dorcheſter, and Portland-caſtle. Here prince Maurice came and joined his cavalry. When he was at the head of the army, he ſuffered his troops to uſe ſuch licence, and ſo ill obſerved the articles made upon the ſurrender of the towns, that the earl of Carnarvan, out of indignation, being a perſon full of honour and juſtice upon all contracts, quitted his command in this army, and returned to the king before Gloceſter. Mean while prince Maurice, after ſtaying ſome time in Dorſetſhire, entered Devonſhire, and laid ſiege to Exeter, which was ſurrendered by capitulation by the earl of Stamford.

Exeter taken by prince Maurice. Sept. 5. Ruſhworth, V. p. 273.

After the taking of Exeter, the prince applied himſelf chiefly to increaſe the number of his forces by freſh levies, whilſt the parliament had no army in that country able to withſtand him. In a ſhort ſpace he aſſembled ſeven thouſand foot, with horſe in proportion, beſides three thouſand men commanded by colonel John Digby before Plymouth, the blockade of which place he had formed, till the prince ſhould come and beſiege it. There had lately been diſcovered at Plymouth a plot framed by Sir Alexander Carew, knight of the ſhire for Cornwal, and governor of the fort and iſland of St. Nicholas, on which depended the ſecurity of the town, to deliver the iſland and fort to the king. Carew was apprehended and ſent to London, where ſome time after he was condemned to die by a court-martial [1].

He increaſes his army. Progreſs of the prince. Id. p. 297. Clarendon, II. p. 260.

A plot diſcovered at Plymouth.

When prince Maurice had compleated his levies, inſtead of going to Plymouth, he laid ſiege to Dartmouth, which employed him more than a month. During that time, the inhabitants of Plymouth, whom the diſcovery of Carew's plot had thrown into a great conſternation, recovered themſelves, and reſolved upon an obſtinate defence. This reſolution was confirmed by a ſupply of five hundred men ſent by the parliament by ſea, with a Scotch governor an experienced warrior. So, prince Maurice, when he came before the place, found the conqueſt of it much more difficult than he had expected. He continued however the ſiege,

Prince Maurice takes Dartmouth, and beſieges Plymouth. Octob. 6. Ruſhworth, V. p. 297.

[1] He was beheaded on Tower-hill, Decemb. 23, 1644.

siege, notwithſtanding the winter, which was now begun. Here I ſhall leave the affairs of the weſt, till I have farther occaſion to ſpeak of them, and proceed to the recital of what paſſed in the north during this campaign. 1643.

Since the earl of Newcaſtle's arrival at York with his army levied in the North, the lord Fairfax had been obliged to keep at ſome diſtance from that city, to avoid being attacked by an army much more numerous than his own. All the northern parts from York to the borders of Scotland were for the king. The ſouthern part of Yorkſhire was for the parliament, and the war was waging in the middle parts of the county to the right and left. But little elſe was tranſacted, beſides the taking of ſmall towns, which ſerved only to enlarge the quarters of one or other army. Military actions in the north. State of the north.

In May 1643, the earl of Newcaſtle took two or three of theſe places. In the ſame month, the lord Fairfax having detached fifteen hundred men, under the command of his ſon Sir Thomas Fairfax, ordered Wakefield to be attacked, where lay three thouſand men of the king's party. This aſſault was made about four in the morning, with ſuch vigour and conduct, that the king's troops were driven from the town, and many taken and ſlain. Amongſt the priſoners was general Goring the commander [1]. The lord Fairfax beats 3000 of the king's party at Wakefield. May 21. Ruſhworth, V. p. 268, 270. Fairfax's letter.

Preſently after, the earl of Newcaſtle had his revenge. Having taken Howley-houſe [2], he marched from thence towards Bradford, and in the way was met on Atherton-moor by the lord Fairfax, whom he entirely routed. Fairfax, with the remains of his army, threw himſelf into Hull, where Sir John Hotham had been lately apprehended by order of parliament, and the lord Fairfax was made governor of that important place. He is defeated by the earl of Newcaſtle. June 30. Id. p. 279.

In June, Gainſborough, a town in Lincolnſhire, was taken by the lord Willoughby of Parham, commander for the parliament in thoſe parts, who there made Robert Pierpoint earl of Kingſton priſoner. But being informed that the earl of Newcaſtle was preparing to recover Gainſborough, he ſent his priſoner in a pinnace to Hull. The earl was unfortunately ſhot by ſome of his own party, who would have ſtopped the pinnace. Mean while, the earl of Newcaſtle began indeed his march to beſiege Gainſborough, and at his approach, detached a party of horſe to inveſt the town. Oliver Cromwel arriving at the ſame time, with deſign to The earl of Kingſton is taken in Gainsborough, and killed by accident. Id. p. 278.

ſupply

[1] With about fifteen hundred men, and twenty-ſeven colours of foot. Ruſhworth, Tom. 5. p. 269, 271.

[2] And therein Sir John Savil the owner.

1643. supply the town with provisions, defeated this detachment, pursuing them even in sight of their main body, which he did not think to be so near. As he was not in condition to face that army, he retreated in good order, and after throwing supplies into the town, retired at a greater distance. Shortly after, the earl of Newcastle retook Gainsborough, and possessed himself of Lincoln, where he put a strong garrison; after which, he besieged Hull, whilst the king was before Gloucester.

Cromwel throws supplies into Gainsborough, July 30. Id. p. 279.

Newcastle besieges Hull Sept. 2. Id. p. 279, 280.

The lord Fairfax, assisted by Sir John Meldrum a Scotchman, defended the town of Hull with great bravery and conduct for five weeks, though he was vigorously attacked. At last, October the 11th, the besieged made a grand sally, and, after a very obstinate fight, which was several times renewed, drove the besiegers from their trenches, and seized their cannon. This obliged the earl of Newcastle, now created marquis, to raise the siege.

A sally that raises the siege.

The same day this famous sally was made at Hull, a gross body of horse, part of the earl of Newcastle's army, commanded by the lord Widrington, were routed at Horn-castle, by Edward Montague earl of Manchester, who had with him Sir Thomas Fairfax, and Cromwel.

The earl of Manchester beats the lord Widrington at Horn-castle, Octob. 11. Id. p. 281.

The rest of the military actions during the winter, after this campaign, having a necessary connexion with the affairs of Scotland and Ireland, I am indispensably obliged to speak of what passed in these two kingdoms in the course of this year. I shall begin with Scotland.

Affairs of Scotland. Id. p. 390.

The parliament of England, when they replied to the Scots proposition of uniting the two national churches, made their answer, which was no less ambiguous than the demand, a toothing, which they might use or not, as occasion required. It is certain, there was a strict correspondence between some of the leading-members and the Scots. These members easily foresaw, that, to establish presbyterianism in England, they should in the end want the Scots, who, on their part, were ready to assist them when a favourable opportunity should offer. Since the king, in his last journey to Scotland, had been forced to grant the Scots whatever they desired, the leaders of the contrary party had taken such just measures, that all the offices of the kingdom were in the hands of their friends, whilst those that were suspected of inclining to the king, were removed from all sorts of employments. By this means, the friends of the parliament of England were in a capacity to second them at a proper time, in establishing the presbyterian-government in the church

church of England. It was not solely out of zeal for religion, but also out of policy, that the directors of the Scottish affairs wished the English would receive that form of government. They believed, they could never promise themselves a perfect tranquillity, if it should happen to be in the king's power to be revenged of them, and that he would be incessantly prompted thereto, if the bishops were restored in England. Whether this belief was well-grounded, or only a prejudice, it is certain they looked upon the restoration of episcopacy in England, as the first step to their ruin. For this reason, they always continued a very strict correspondence with both houses, by means of their commissioners residing in London, in order to act in concert with them, for lessening the king's power, and destroying episcopacy. This plainly appeared in the course of this year 1643. 1643

The affairs of the parliament not being in a situation to afford a prospect of any great advantages upon the king this campaign, the Scots began to prepare to assist them, in case there should be occasion. To that purpose, about the beginning of May, it was moved by some of the leading-men, that there might be a joint-meeting of the council, the conservators of the peace, and the commissioners for public burthens. In the hands of all these was lodged the authority of the kingdom, when there was no parliament. This motion was readily complied with, all the public offices and posts being, as I said, filled with men of that party. In this assembly it was proposed, that, considering the danger the kingdom was in, by reason of armies levying in the north of England, Scotland should be put in a posture of defence. As this could not be done without a parliament, or a convention of estates, it was urged, that there was an absolute necessity of immediately summoning such a convention. The marquis of Hamilton, and several others, strongly opposed it, alledging, that for them to appoint a convention without the king's order, was an encroachment upon the royal prerogative in the highest degree: that his majesty had promised to call a parliament in the year 1644, and therefore to hold a convention of estates before that time, without his privity, was directly contrary to the laws of the land. But their arguments were in vain. It was carried by the majority, that the lord-chancellor should summon a convention of estates, against the 22d of June. They make a distinction in Scotland between a convention of estates, and a parliament. The convention of estates is a court consisting of all the members of parliament; but as they

The states of Scotland are convened, notwithstanding Hamilton's opposition. Id. p. 463.

Burnet's Mem. p. 233.

1643. they are called, and ſit without the ſtate or formalities uſed in parliament, ſo their power extends only to raiſe money or forces, but not to make or repeal laws.

May 15. The king having notice of what was projecting in Scotland, immediately ſent thither the earls of Roxborough, Kinnoul, and Lanerick, with inſtructions concerning what they were to do for his ſervice. Theſe three lords arrived at Edinburgh the 15th of May, and brought the marquis of Hamilton a patent, creating him a duke. Beſides this, they preſented to the council a declaration from the king, wherein he endeavoured to diſplay the juſtice of his cauſe againſt the parliament of England. He vindicated his innocence with regard to all the aſperſions caſt upon him, particularly concerning religion, and repreſented very pathetically, the wrongs and injuſtices done him. As we have ſeen more than once what the king alledged in his vindication, I think it unneceſſary to inſert the declaration. I ſhall only obſerve, that he concluded with ſaying, "God ſo deal with "us, and our poſterity, as we ſhall inviolably obſerve the "laws and ſtatutes of that our native kingdom, and the "proteſtant religion, the laws of the land, the juſt privi-"leges and freedom of parliament."

Hamilton is made a Duke. May. Burnet's Mem. Ruſhworth, V. p. 463.

Shortly after, the king hearing that a convention of eſtates was ſummoned without his order or privity, eaſily perceived, this ſtep was not taken without an intention to ſupport it. He choſe therefore to permit them to aſſemble, but with expreſs order to limit their conſultations to the beſt ways and means of ſupplying the Scotiſh army in Ireland, and to relieving public burthens by preſſing a ſpeedy payment of the brotherly aſſiſtance due from England. But the convention was by no means inclined to be thus reſtrained. When the eſtates met, the firſt thing in debate was the limitation in the king's letter of licenſe. The duke of Hamilton, with the king's other friends [1], voted it, *no convention but as regulated by his majeſty's letter*; but all the reſt voted it *a free convention* [2]. The king pretended afterwards, the duke of Hamilton and his brother the earl of Lanerick had not ſerved him with ſincerity, and if they had pleaſed, they might have hindered the convention from meeting. Some time after, theſe two lords repairing to Oxford, he ordered them to be apprehended, but the earl of Lanerick found means to eſcape, and his brother the duke was ſent down

The king conſents to a convention of eſtates, with certain limitations. June 10. Id. p. 446.

They are rejected by the eſtates. Burnet's Mem. Ham.

Hamilton and his brother are apprehended at Oxford. Ibid.

[1] Eighteen lords and one knight. Ruſhworth, Tom. V. p. 466.

[2] Whereupon Hamilton and his party withdrew, and would ſit in the convention no more. Ibid.

down to be impriſoned in the caſtle of St. Michael's Mount in Cornwal. The earl of Clarendon in his hiſtory ſupports to the utmoſt of his power the king's ſuſpicions of theſe two brothers, whilſt, on the other hand, there is, in *the memoirs of the dukes of Hamilton*, a large vindication upon this article. 1643. Burnet's Mem. p. 251, &c.

The convention of eſtates met the 22d of June, and the general aſſembly of the Kirk, the 2d of Auguſt. 'Tis obſervable, it was in June that an ordinance of the parliament of England, was publiſhed for calling an aſſembly of divines and others, to be conſulted by both houſes, for ſettling the government and liturgy of the church of England, and that this aſſembly held their firſt ſeſſion the firſt of July, a few days after the meeting of the convention of eſtates in Scotland. The ſequel ſhewed with what deſign this aſſembly was appointed. The parliament of England cauſes an eccleſiaſtical aſſembly to be held at Weſtminſter. Ruſhworth, V. p. 337. Fuller. Collier.

The precaution taken by the Scots was not ineffectual. They ſeem to have foreſeen what happened ſoon after. For in the interval between the propoſing a convention of eſtates, and the time of their meeting, the earl of Eſſex's army was ſeized with ſickneſs after the taking of Reading; the city of Briſtol fell into the king's hands; and Sir William Waller's forces were routed at Roundway-down. If the king's ſucceſſes had not received a check by the raiſing of the ſiege of Gloceſter and the battle of Newbury, it is very viſible, the parliament's affairs were in a very ill ſituation about the end of July and the beginning of Auguſt, that is, at the time the convention of eſtates, and the general aſſembly met in Scotland. Accordingly, both houſes failed not to improve the precaution taken by the Scots, and which, in all appearance, had been ſuggeſted to them. As they ſaw, their affairs were declining, they applied, without further conſideration, to the convention of Scotland for aſſiſtance, and ſent commiſſioners, with full powers to treat. Theſe commiſſioners, who came to Edinburgh whilſt the king was approaching Gloceſter, found the eſtates of Scotland as well diſpoſed as they could wiſh [1]. The parliament ſend for aid to the eſtates of Scotland. Ruſhworth, V. p. 467. Clarendon, T. II. p. 232, 283.

Both houſes had foreſeen, that the eſtates of Scotland would demand, in return for their aſſiſtance, a poſitive engagement

[1] The commiſſioners appointed were, John Mannors, earl of Rutland, (who, upon indiſpoſition of health, procured a releaſe,) and the lord Grey of Wark, (who refuſing to go on account of his inability to bear ſo long a journey, was ſent to the Tower, but ſoon after releaſed) for the lords; and for the commons, Sir William Armyne, Sir Henry Vane the younger, Mr. Hatcher, and Mr. Darley, with two divines, Marſhal and Nye, to attend them. Ruſhworth, Tom. V. p. 466, Clarendon, T. II. p. 232.

1643. gagement to eſtabliſh in the church of England a preſbyterian-government, like that in the Kirk of Scotland. It is ſcarce to be doubted, that ſome of the directors of the parliament's affairs had made ſuch a private agreement with them, though it cannot be proved by any public acts. Nay, very likely, the earl of Eſſex's army had been ſuffered to decay, on purpoſe to reduce things to ſuch a ſtate, that the aſſiſtance of the Scots ſhould be abſolutely neceſſary. At leaſt, it is hard to diſcover any other reaſon, that could have induced the parliament to ſuffer that army to remain unſerviceable from the taking of Reading to the ſiege of Gloceſter. It appeared that this proceeded not intirely from inability, ſince, when the danger grew more imminent, means were found to enable the earl of Eſſex to relieve Gloceſter. Now it was preciſely whilſt the earl of Eſſex's army was thus neglected, that the parliament reſolved to deſire the aſſiſtance of Scotland. Be this as it will, both houſes ſent, with their commiſſioners, two declarations, one directed to the convention, the other, to the general-aſſembly. The firſt was, only to deſire the ſpeedy aſſiſtance of the eſtates, and to inform them, that their commiſſioners had inſtructions to treat with them, not only concerning the ſatisfaction to be made for the deſired aid, but alſo about ſettling the accounts between the two kingdoms. In the ſecond, both houſes acknowledged the great zeal and love, manifeſted by the general-aſſembly of the churches of Scotland, in their endeavours for the preſervation of the true proteſtant religion from the attempts of the popiſh and prelatical party, to the neceſſary reformation of church-government in England, and the more near union of both churches. And therefore they exhorted the aſſembly to ſend into England ſome of their body, for the furtherance of that work in conjunction with the aſſembly of divines now ſitting at Weſtminſter. They declared alſo, that beſides their inſtructions in the civil matters of both kingdoms, the commiſſioners had received directions to reſort to and conſult with the general-aſſembly of the Kirk of Scotland, in every thing relating to the reformation of the church of England; and to that end, Mr. Marſhal and Mr. Nye, miniſters of God's word, were appointed to aſſiſt the commiſſioners with their advice.

Ruſhworth, V. p. 467.

They offer to endeavour after an union of both churches. Id. p. 469.

"With theſe declarations the commiſſioners found no difficulty in their negotiation. On the contrary, the general-aſſembly addreſſed to the eſtates a declaration, containing the reaſons which ought to induce them to aſſiſt the parliament of England. The reaſons were to this effect:

"1. The

" 1. The controverſy now in England being betwixt the 1643.
" Lord Jeſus and Anti-chriſt with his followers, if we would
" not come under the curſe of Meroz, we ſhould come out, The reaſons of the general aſſembly for aſſiſting the parliament.
" and help the Lord againſt the mighty.

" 2. There was an act paſſed by the convention of eſtates, in Scotland.
" anno 1585, wherein the eſtates found it neceſſary to en-
" ter into a league and chriſtian confederation, with all pro-
" teſtant princes and eſtates, againſt the bloody league at Id. p. 472.
" Trent. Conformed to which there followed a league
" betwixt the two crowns of Scotland and England, ſub-
" ſcribed at Berwic 1586, againſt whatſoever foreign and
" inteſtine powers of papiſts ſhould arrive or riſe. And
" therefore the cauſe being the ſame, as well as the par-
" ties, and the danger, we are bound to perform now,
" what we promiſed then.

" 3. We ſtand obliged to England for old kindneſs to
" us, being in the ſame poſture then that they are in now;
" for in the year 1556 and 1557, the eſtates of this land,
" finding the reformation of religion oppoſed by their own
" princes with arms and violence, and themſelves oppreſſed
" by the popiſh army, ſought and obtained the aſſiſtance of
" an army from England, whereby they expelled the French
" army, made the pacification at Leith, held the parliament
" of 1560, eſtabliſhed the religion. Therefore they got
" new aſſiſtance from England to ſuppreſs the general popiſh
" faction, whereby they took in the caſtle of Edinburgh
" from the Laird of Grange; and in that public printed
" prayer, prefixt to the Pſalm-book, we ſolemnly promiſed
" never to forget their kindneſs againſt the French; and if
" we call to mind the manifeſtation of the lawfulneſs of the
" expedition into England, we ſtand obliged to them for
" their late kindneſs; for they not only refuſed to levy arms
" againſt us in the laſt troubles in 1639, but alſo did medi-
" ate for a treaty, did welcome and kindly entertain our
" army for a year, did freely beſtow upon us their brotherly
" aſſiſtance of thirty thouſand pounds; whereupon we ac-
" knowledged our thankfulneſs, not to conſiſt in affection
" and words at that time, but in the mutual kindneſs, and
" real declaration to be expected from the whole kingdom
" of Scotland, in all time to come; beſides ſolemn pro-
" miſes and vows repeated in our late declaration and infor-
" mation publiſhed to the world, wherein we aſſure them
" of our help in their needs, as, in *the remonſtrance of the*
" *ſtates of Scotland*, 1639, pag. 28. *Remonſtrance of the*

" *parliament*

1643. "*parliament of England*, 1640, pag. 15, 16. *Intentions of* "*the army of Scotland*, near the end.

"4. The common danger imminent to both kirks and "kingdoms, do invite us to help them; for we and they "ſail in one bottom, dwell in one houſe, are members of "one body, that according to their own principles, if either "of the two nations or kirks be ruinated, the other cannot "long ſubſiſt. We have the ſame friends and foes, and "many years experience hath taught us, what influence "popery and prelacy in England, may have upon Scotland; "for from thence came the prelates, the ceremonies, the "book of common-prayers, ſervice-book, and upon our "refuſal, the bloody ſword came from thence; therefore "we are to take England's condition to heart, as a common "cauſe, to put forth our helping hand, if we tender reli-"gion, laws, and liberties.

"5. The common advantage redounding to both kirk "and kingdom, do perſuade help; for hereby we have a "fair opportunity to advance uniformity in diſcipline and "worſhip, which will prove the ſureſt bond of union, and "bulwark to both.

"6. If we forſake England, we forſake our deareſt friends, "who can beſt help us in caſe we be reduced to the like "ſtraits hereafter by the common adverſary.

"7. If we ſuffer the parliament of England to be cut off, "we have loſt our peace with England. If the popiſh and "prelatical faction do over-rule the parliament, we may "expect war both from king and parliament, whereunto "they will not want pretences. And we have reaſon to "fear, that, ſeeing ſome of the malignants at home are "reported to have vented, that the king was not tied to "keep what he had granted to us, becauſe by calling and "keeping of our convention, we have firſt broken to him.

"8. If we ſhould deſert them at this time, yet as Mor-"decai ſaid to Eſther, *Deliverance ſhall ariſe to them from* "*elſewhere, but we and our father's houſe may look for deſtruc-*"*tion*; and who knoweth, but we are reſtored to our reli-"gion and liberties, to a free convention at this time, and "made a mirror of God's mercy to all nations and kirks, "that we may help our brethren of England?

"9. That the only means for the procuring of a happy "agreement betwixt the king and the parliament, is by "putting up of the ſword, and ſaving chriſtian blood from "being ſhed, ſuppreſſing of papiſts, and eſtabliſhing reli-"gion in his dominions; for humble ſupplications and re-

 "monſtrances,

" monſtrances, reached out with naked hands, will not pre- 1643.
" vail with our adverſaries, who have invironed our king,
" and cloſed his ears to the cry of his ſubjects.

" But it will be objected, ſeeing our religion and liber-
" ties are eſtabliſhed according to our own deſires; and
" ſeeing his majeſty's declaration to the whole kingdom,
" and letter to every nobleman and borough, to give aſſu-
" rance for preſervation of the ſame without altering, we
" have no intereſt nor hazard, however buſineſs go in Eng-
" land; but ſhould keep ourſelves in peace and quiet.

" 1. *Anſwer.* In all the proceedings of this buſineſs we
" have from time to time declared, That neither verbal
" promiſes, nor fair declarations for maintaining religion
" and liberty could ſecure us, becauſe we have ſo often
" found *facta verbis contraria*. As for example, the treaty
" of Dunce, when we confided to verbal gracious expreſ-
" ſions of his majeſty's; yet afterwards they were denied,
" and burnt by the hands of the hangman, and an army
" levied againſt us. It was the counſel of Monſieur de
" Thou to the queen-regent of Scotland at St. Andrews,
" for reverſing our firſt reformation, to grant our prede-
" ceſſors in fair promiſes and declarations all that they
" craved, and when thereby they ſhould be divided, to in-
" terpret theſe by herſelf, and to take order with the heads
" of the opponers; and this policy was uſed by Charles IX.
" king of France, for the ſubverting of the proteſtant reli-
" gion in France, as witneſſeth Monſieur de Thou, L. 71.
" p. 463.

" 2. As we have found by former experience, that the
" eſtabliſhment of our firſt reformation by an act of aſſem-
" bly and parliament, could not ſecure us from the violent
" preſſing of innovations againſt both; and in the new re-
" monſtrance of 1640, pag. 16. we have fully expreſſed,
" that no aſſembly or parliament, whereunto we faſtened
" our hopes, can be any ſafety for us, ſo long as our ene-
" mies ſit at the helm, and govern the king's council, and
" make his majeſty interpret laws contrary to the advice of
" judicators of kirk and ſtate. And of late our mediation
" betwixt him and his parliament was rejected, and our
" commiſſioners ſtopt from going to London, contrary to
" his own ſafe-conduct.

" 3. If the parliament of England that now is, be de-
" ſtroyed, who ſhall undertake for our ſafety? As the king's
" declarations cannot exceed his perſon, or ſecure us at the
" hands of his ſucceſſors, ſo we may perceive in the late

1643. "discovery of the plots of the Scots, English, and Irish "papists, that these declarations can be no sufficient security against the surprizing of papists and malignants, if "they be permitted to carry arms within any of the kingdoms.

"Secondly, It is objected, that we are a poor people, "not fit for such an undertaking. To which we answer,

"1. The representative body of the kingdom now convened, can best satisfy this objection.

"2. When God calls his people, and makes them willing, he gives them also strength, that thro' him they may "do valiantly.

"3. God hath helped us in all enterprizes for his cause, "and he will yet provide for us. We hope the wise convention of states will see to the conditions, that the kingdom receive as little detriment as may be.

"Thirdly, It is objected, they will not embrace a presbyterian-government in the kirk, and so no hope of uniformity.

"*Answer*, 1. They have already put out episcopal government, root and branch, neither will they, nor do the "protestant kirks know of any other but presbyterial.

"2. If any zealous man amongst them have their scruples against presbyterial-government, we trust the Lord will "reveal the truth unto them.

"They have in many declarations expressed their resolutions and desires for uniformity."

Covenant between the two nations approved in Scotland and England. Rushworth, V. p. 475. Guthry's Mem.

The assembly and convention having respectively appointed committees to treat with the English commissioners, it was agreed at the first conferences, that the best and speediest means for accomplishing the union and assistance desired, was that both nations should enter into a mutual covenant or league. This covenant was prepared in a very short time, so that August the 17th, it was presented to the estates and the general-assembly, and approved by both the same day. On the morrow, being the 18th, it was sent to England by the lord Maitland, afterwards duke Lauderdale. He was accompanied with Mr. Alexander Henderson, moderator of the general-assembly, and Mr. Gillespy, both ministers, as commissioners from the assembly to treat with the assembly of divines at Westminster, about the union of the two churches.

If the Scots were disposed to enter into a league with the English, these were no less desirous of it. August the 28th, ten days after the departure of the Scotch commissioners, the

the parliament of England conſented to the covenant. Immediately after, the aſſembly of divines were ordered by both houſes to frame an exhortation to the taking of the covenant, to be read publickly in all the churches. That done, the covenant was ordered to be printed and publiſhed, and appointed to be taken the 22d of September by all the members of parliament, and the aſſembly of divines, which was done with great ſolemnity [1]. The covenant was as follows: 1643.

A ſolemn league and covenant for reformation and defence of religion, the honour and happineſs of the king, and the peace and ſafety of the three kingdoms of England, Scotland, and Ireland.

"WE noblemen, barons, knights, gentlemen, citizens, burgeſſes, miniſters of the goſpel, and commons of all ſorts in the kingdoms of England, Scotland, and Ireland, by the providence of God living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jeſus Chriſt, the honour and happineſs of the king's majeſty and his poſterity, and the true publick liberty, ſafety and peace of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conſpiracies, attempts, and practices of the enemies of God againſt the true religion and profeſſors thereof in all places, eſpecially in theſe three kingdoms, ever ſince the reformation of religion, and how much their rage, power, and preſumption are of late, and at this time, increaſed and exerciſed, whereof the deplorable eſtate of the church and kingdom of Ireland, the diſtreſſed eſtate of the church and kingdom of England, and the dangerous eſtate of the church and kingdom of Scotland, are preſent and publick teſtimonies; we have (now at laſt) after other means of ſupplication, remonſtrance, proteſtations and ſufferings, for the preſervation of ourſelves and our religion from utter ruin and deſtruction, according to the commendable practice of theſe Rushworth, V. p. 478. Clarendon, T. II. p. 287.

[1] The manner of taking it was thus: The covenant was read, and then notice was given that each perſon ſhould immediately, by ſwearing thereunto, worſhip the great name of God, and teſtify ſo much outwardly, by lifting up their hands; and then they went up into the chancel [of St. Margaret's, Weſtminſter,] and there ſubſcribed their names in a roll of parchment, in which this covenant was fairly written. It was taken that day by two hundred and twenty two members of parliament, whoſe names ſee in Ruſhworth, Tom. V. p. 480.

1643. " kingdoms in former times, and the example of God's
" people in other nations, after mature deliberation, re-
" ſolved and determined to enter into a mutual and ſolemn
" league and covenant, wherein we all ſubſcribe, and each
" one of us for himſelf, with our hands lifted up to the
" moſt high God, do ſwear:

" I. That we ſhall ſincerely, really and conſtantly, thro'
" the grace of God, endeavour, in our ſeveral places and
" callings, the preſervation of the reformed religion in the
" church of Scotland, in doctrine, worſhip, diſcipline and
" government, againſt our common enemies, the reforma-
" tion of religion in the kingdoms of England and Ireland,
" in doctrine, worſhip, diſcipline and government, accord-
" ing to the word of God, and the example of the beſt re-
" formed churches; and we ſhall endeavour to bring the
" churches of God in the three kingdoms, to the neareſt
" conjunction and uniformity in religion, confeſſing of
" faith, form of church-government, directory for worſhip
" and catechiſing, that we, and our poſterity after us, may,
" as brethren, live in faith and love, and the lord may de-
" light to dwell in the midſt of us.

" II. That we ſhall in like manner, without reſpect of
" perſons, endeavour the extirpation of popery, prelacy,
" (that is, church-government by archbiſhops, biſhops,
" their chancellors and commiſſaries, deans, deans and
" chapters, archdeacons, and all other eccleſiaſtical of-
" ficers depending on that hierarchy) ſuperſtition, hereſy,
" ſchiſm, profaneneſs, and whatſoever ſhall be found to
" be contrary to ſound doctrine, and the power of godli-
" neſs, leſt we partake in other mens ſins, and thereby be
" in danger to receive of their plagues, and that the Lord
" may be one, and his name one in the three kingdoms.

" III. We ſhall with the ſame ſincerity, reality and
" conſtancy, in our ſeveral vocations, endeavour with our
" eſtates and lives, mutually to preſerve the rights and pri-
" vileges of the parliaments, and the liberties of the king-
" doms, and to preſerve and defend the king's majeſty's
" perſon and authority, in the preſervation and defence of
" the true religion and liberties of the kingdoms, that the
" world may bear witneſs with our conſciences of our loy-
" alty, and that we have no thoughts or intentions to di-
" miniſh his majeſty's juſt power and greatneſs.

" IV. We ſhall alſo with all faithfulneſs endeavour the
" diſcovery of all ſuch as have been or ſhall be incendiaries,
" malignants, or evil inſtruments, by hindering the re-

" forma-

" formation of religion, dividing the king from his people, 1643.
" or one of the kingdoms from another, or making any
" faction or parties among the people, contrary to this
" league and covenant, that they may be brought to pub-
" lick trial, and receive condign puniſhment, as the degree
" of their offences ſhall require or deſerve, or the ſupreme
" judicatories of both kingdoms reſpectively, or others hav-
" ing power from them for that effect, ſhall judge conve-
" nient.

" V. And whereas the happineſs of a bleſſed peace be-
" tween theſe kingdoms, denied in former times to our
" progenitors, is, by the good providence of God granted
" unto us, and hath been lately concluded and ſettled by
" both parliaments, we ſhall, each one of us, according to
" our place and intereſt, endeavour, that they may remain
" conjoined in a firm peace and union to all poſterity, and
" that juſtice may be done upon the wilful oppoſers there-
" of, in manner expreſſed in the precedent articles.

" VI. We ſhall alſo, according to our places and call-
" ings, in this common cauſe of religion, liberty, and
" peace of the kingdoms, aſſiſt and defend all thoſe that
" enter into this league and covenant, in the maintaining
" and purſuing thereof, and ſhall not ſuffer ourſelves di-
" rectly or indirectly, by whatſoever combination, perſua-
" ſion, or terror, to be divided and withdrawn from this
" bleſſed union and conjunction, whether to make defec-
" tion to the contrary part, or to give ourſelves to a de-
" teſtable indifferency or neutrality in this cauſe, which ſo
" much concerneth the glory of God, the good of the
" kingdoms, and the honour of the king, but ſhall all the
" days of our lives zealouſly and conſtantly continue there-
" in, againſt all oppoſition, and promote the ſame accord-
" ing to our power, againſt all letts and impediments what-
" ſoever; and what we are not able ourſelves to ſuppreſs
" or overcome, we ſhall reveal and make known, that it
" may be timely prevented or removed; all which we ſhall
" do as in the ſight of God.

" And becauſe theſe kingdoms are guilty of many ſins
" and provocations againſt God, and his ſon Jeſus Chriſt,
" as is too manifeſt by our preſent diſtreſſes and dangers,
" the fruits thereof: We profeſs and declare before God,
" and the world, our unfeigned deſire to be humbled for
" our ſins, and for the ſins of theſe kingdoms, eſpecially
" that we have not, as we ought, valued the ineſtimable
" benefit of the goſpel; that we have not laboured for the

1643. "purity and power thereof; and that we have not endea-
"voured to receive Chriſt in our hearts, nor to walk wor-
"thy of him in our lives, which are the cauſes of other
"ſins and tranſgreſſions, ſo much abounding amongſt us.
"And our true and unfeigned purpoſe, deſire, and endea-
"vour, for ourſelves, and all others under our power and
"charge, both in publick and in private, in all duties we
"owe to God and man, to amend our lives, and each one
"to go before another in the example of a real reforma-
"tion; that the Lord may turn away his wrath and heavy
"indignation, and eſtabliſh theſe churches and kingdoms
"in truth and peace. And this covenant we make in the
"preſence of Almighty God, the ſearcher of all hearts,
"with a true intention to perform the ſame, as we ſhall
"anſwer at that great day, when the ſecrets of all hearts
"ſhall be diſcloſed; moſt humbly beſeeching the Lord to
"ſtrengthen us by his Holy Spirit for this end, and to bleſs
"our deſires and proceedings with ſuch ſucceſs, as may be
"deliverance and ſafety to his people, and encouragement
"to other chriſtian churches, groaning under, or in danger
"of, the yoke of anti-chriſtian tyranny, to join in the
"ſame, or like aſſociation and covenant. To the glory of
"God, the enlargement of the kingdom of Jeſus Chriſt,
"and the peace and tranquillity of chriſtian kingdoms, and
"commonwealths."

Reaſons why the covenant was ſo readily taken in England.

I have often ſaid, that the preſbyterian party prevailed in the parliament of England. This party impatiently waited for an opportunity to eſtabliſh the preſbyterian government in the church, and this ſeemed to them ſo favourable, that they reſolved not to loſe it. The affairs of the parliament were in an ill way. The king was become maſter of Briſtol. The earl of Eſſex's army was unſerviceable, and Waller's entirely diſperſed by the loſs of the battle of Roundway-down. Prince Maurice was with a good army in the weſt, where he met with no oppoſition. The marquis of Newcaſtle was maſter of all the north, and ſuperior in number of troops to the lord Fairfax in the county of York. In ſhort, the king was now beſieging Gloceſter, when the parliament's commiſſioners came to Edinburgh. Had he taken that place, the parliament would have had reaſon to fear a general defection, conſidering the advantages the king would have thereby received. The two houſes had therefore, if I may ſo call it, no other refuge than the aſſiſtance of the Scots, an aſſiſtance which could not be procured, but by yielding them the article of uniformity,

formity, ſo paſſionately deſired by them, being, in their opinion, the ſole means of ſecuring the enjoyment of their liberties. So, thoſe of the parliament's party that were moſt attached to the church of England, clearly perceived they muſt conſent to a change of church-government, or be expoſed to the hazard of loſing the fruit of all their labours, in caſe the king ſhould be reſtored by force of arms. Things ſtanding thus, they could not think it ſtrange, that the parliament ſhould conſent to an uniformity, in order to ſatisfy the Scots for their ſo neceſſary aſſiſtance. For this reaſon the covenant was taken without murmuring, and it was not perceived, that this proceeding would increaſe the number of the king's friends, as the parliament had ever dreaded, becauſe it was done at a juncture, when the neceſſity of it ſeemed unavoidable. 1643.

Shortly after, the king iſſued out a proclamation to forbid the taking of the covenant, but it produced no great effect. On the contrary, the committee of eſtates did, by their printed act of the 22d of October, ordain it to be ſworn and ſubſcribed by all the ſubjects, under pain of having their goods and rents confiſcated. After that, they ſummoned all the lords of the council to come and ſign it before them. The duke of Hamilton, and ſome others, refuſing to ſubſcribe it, the committee, by another act, of the 17th of November, ordered all their lands to be ſeized, and their perſons to be apprehended, with permiſſion to kill ſuch as reſiſted. Notwithſtanding all this, the king, at the duke's coming to Oxford, cauſed him, as I ſaid, to be arreſted.

The king in vain forbids taking the covenant. October 9. Ruſhworth, V. p. 248.

It is ordered to be taken in Scotland under ſtrict penalties. Ruſhworth, V. p. 484.

After both kingdoms had agreed upon the covenant, the eſtates of Scotland appointed commiſſioners to treat with the Engliſh, concerning the aid deſired. The ſubſtance of the treaty, ſigned November the 29th, is as follows:

Treaty between England and Scotland. Id. p. 485.

" 1. That the covenant be ſworn and ſubſcribed by both " kingdoms.

" 2. That an army ſhall be forthwith levied in Scotland, " conſiſting of eighteen thouſand foot effective, and two " thouſand horſe, and one thouſand dragoons effective, " with a ſuitable train of artillery, to be ready at ſome ge- " neral rendezvous near the borders of England, to march " into England with all convenient ſpeed, the ſaid foot and " horſe to be well and compleatly armed, and provided " with victuals and pay for forty days.

" 3. That the army be commanded by a general ap- " pointed by the eſtates of Scotland, and ſubject to ſuch " reſolutions and directions as ſhall be agreed and conclud-

1643. " ed mutually between the two kingdoms, or by commit-
" tees appointed by them in that behalf.

" 4. That the charge of levying, arming, and bringing
" the ſaid forces together, as alſo the fitting the train of
" artillery, be computed and ſet down according to the
" ſame rates, as if the kingdom of Scotland were to raiſe
" the ſaid army for themſelves; all which for the preſent
" is to be done by the kingdom of Scotland upon accompt,
" and the accompt to be delivered to the commiſſioners of
" the kingdom of England; and when the peace of the
" two kingdoms is ſettled, the ſame to be repaid or ſatiſ-
" fied to the kingdom of Scotland.

" 5. That this army be likewiſe paid, as if the kingdom
" of Scotland were to employ the ſame for their own occa-
" ſion; and towards the defraying thereof, ſhall be monthly
" allowed and paid the ſum of 30000 l. ſterling by the par-
" liament of England, out of the eſtates and revenues
" of the papiſts, prelates, malignants, and their adherents,
" or otherwiſe; and in caſe the ſaid 30000 l. monthly,
" or any part thereof, be not paid at the time when it
" ſhall become due, the kingdom of England ſhall give
" the publick faith for the paying of the remainder unpaid
" with all poſſible ſpeed, allowing the rate of 8 *l. per cent.*
" for the time of the performance thereof; and in caſe that
" notwithſtanding the ſaid monthly ſum of 30000 *l.* paid as
" aforeſaid, the ſtates and kingdom of Scotland ſhall have
" juſt cauſe to demand farther ſatisfaction of their brethren
" of England, when the peace of both kingdoms is ſettled,
" for the pains, hazard, and charges they have undergone
" in the ſame, they ſhall by way of brotherly aſſiſtance
" have due recompence made to them by the kingdom of
" England, and that out of ſuch lands and eſtates of the
" papiſts, prelates, malignants, and their adherents; and
" for the aſſurance thereof, the publick faith of the king-
" dom of England ſhall be given them.

" 6. And to the end the ſaid army may be enabled and
" prepared to march, the kingdom of England is to pay in
" ready money to their brethren of Scotland, the ſum of
" 100,000 *l.* Sterling at Leith or Edinburgh, by way of
" advance beforehand, which is to be diſcounted back
" again to the kingdom of England by the kingdom of
" Scotland, upon the firſt monthly allowance which ſhall
" grow due to the Scotiſh army, from the time they ſhall
" make their firſt entrance into the kingdom of England.

" 7.

" 7. That the publick faith of the kingdom of Scotland 1643.
" will be given, to be jointly made uſe of with the publick
" faith of the kingdom of England, for the preſent taking
" up 200,000 *l.* Sterling in the kingdom of England, or
" elſewhere, for the ſpeedy procuring of the ſaid 100,000 *l.*
" Sterling as aforeſaid; as alſo a conſiderable ſum for the
" ſatisfying in good proportion the arrears of the Scotiſh
" army in Ireland.

" 8. That no ceſſation, nor any pacification or agree-
" ment of peace whatſoever, ſhall be made without the
" mutual advice and conſent of both kingdoms.

" 9. That the publick faith of the kingdom of Scotland,
" ſhall be given to their brethren of England, that neither
" their entrance into, nor their continuance in the king-
" dom of England, ſhall be made uſe of to any other ends
" than are expreſſed in the covenant, and in the articles of
" this treaty: and that all matters of difference that ſhall
" happen to ariſe between the ſubjects of the two nations,
" ſhall be reſolved and determined by the mutual advice
" and conſent of both kingdoms, or by ſuch committees as
" for this purpoſe ſhall be by them appointed.

" 10. That the kingdom of England do oblige them-
" ſelves to aid and aſſiſt the kingdom of Scotland, in the
" ſame or like caſes of ſtraits and extremities.

" 11. That during the time that the Scotiſh army ſhall
" be employed, as aforeſaid, for the defence of the king-
" dom of Scotland, there ſhall be fitted out, as men of war,
" eight ſhips, whereof ſix ſhall be of burden betwixt one
" hundred and twenty and two hundred tun, the other be-
" tween three and four hundred tun; all which ſhall be
" maintained at the charge of the kingdom of England, to
" be employed for the defence of the coaſt of Scotland,
" under ſuch commanders as the earl of Warwick for the
" time of his being admiral ſhall nominate, with the appro-
" bation of the committees of both kingdoms; which com-
" manders ſhall receive from the ſaid earl general inſtruc-
" tions, that they do from time to time obſerve the di-
" rections of the committees of both kingdoms."

Though this treaty was not ſigned till the 29th of November, the eſtates of Scotland were ſo ſecure, there would be no objections to the terms, that the troops of the moſt diſtant counties were now marching to the general rendezvous, whilſt the treaty was in hand. The very day the covenant was ſent to England, namely, the 18th of Auguſt, a proclamation was publiſhed in the king's name according

An army is got ready in Scotland.

Ruſhworth, V. p. 482.

to

1643. to the uſual ſtile, commanding all the ſubjects of Scotland, from ſixteen to ſixty years old, to provide themſelves with ammunition, arms, and forty days proviſions, and to be ready to march for the defence of the kingdom. The king could not bear, that an order ſhould be publiſhed in his name to his ſubjects of Scotland, to arm themſelves againſt himſelf. He writ a vehement letter to the council, commanding them expreſsly to call in the proclamation, but it was to no purpoſe. The king ſeems not to have known, that in Scotland as well as in England, in all ſtate affairs, the king is never conſidered as ſeparated from the people, and that it is the uſual practice to publiſh all publick orders in the king's name, though they are prejudicial to his private intereſts. Hiſtory furniſhes us with numberleſs inſtances, and the king had found, by too frequent experience for ſome time in England, that in making war upon him, it was pretended to be for his honour and true intereſt. He himſelf pretended, that he waged war with both houſes in defence of the liberties of parliament. This is an effect of the conſtitution of the government, whereby the king as the head, and the people as the body, are deemed inſeparable. If they happen to be divided, it is not ſtrange, that each pretends to act for the good of the whole, ſince this pretenſion is made the ſole cauſe of their diviſion.

Id. p. 484.

Upon this foundation it was, that the eſtates of Scotland publiſhed two manifeſto's, wherein, ſuppoſing the king to have been, and ſtill to be, guided by pernicious counſels, they pretended not only, that they might juſtly aſſiſt the two houſes againſt him, but were bound in conſcience to make war upon him. They maintained, they had no other view, than to reſcue him from the dangers he willingly expoſed himſelf to, and to labour for his happineſs and glory. After all, this maxim is not wholly peculiar to England and Scotland; it has been followed in other ſtates during civil wars. All that can be ſaid, is, that many times the welfare of the king and ſtate, is only a cloke to ambition, revenge, and other criminal paſſions. But it is not impoſſible, that what is frequently a pretence only, may ſometimes be a very ſolid reaſon. It is the part of the wiſe and unbiaſſed, who ſeek only the truth, to diſtinguiſh the real motives which engage ſubjects to take up arms againſt their ſovereigns, in ſtates where an abſolute and unlimited power cannot with reaſon be aſcribed to the prince, as in England and Scotland.

Manifeſto's o' the Scots. Id. p. 487, 490.

The

The king made a long anſwer to theſe manifeſto's, but it was upon quite contrary ſuppoſitions. He pretended, both houſes of parliament had forced him to take up arms in his own defence: that his conſent to the acts of the parliament of Scotland, was more than ſufficient to ſecure their religion and liberties: that his ſubjects of Scotland could not, without being guilty of treaſon, make war upon him on any pretence whatſoever, and other the like ſuppoſitions, which the Scots did not grant, as he did not thoſe made by them in ſupport of their pretended right. There is one, among others, which frequently occurs in the authors who have writ on this ſubject, and which is admitted, or rejected, according as they lean to either party. And this obliges me juſt to mention it, in order to arm the reader againſt the prejudices of both. 1643. The king's anſwer. Id. p. 494.

In the treaty of peace concluded at London 1641, there was this clauſe: "That the kingdom of Scotland ſhall not "denounce nor make war againſt the kingdoms of England, "or Ireland, without conſent of the parliament of Scotland; "nor, on the other hand, the kingdom of England make "war againſt Scotland, without conſent of the parliament "of England. And in caſe any of the ſubjects of any of "the kingdoms ſhall riſe in arms, or make war againſt any "other of the kingdoms and ſubjects thereof, without con-"ſent of the parliament of that kingdom whereof they "are ſubjects, or upon which they do depend, that they "ſhall be held as traitors to the ſtates whereof they are ſub-"jects. And that both the kingdoms, in the caſes afore-"ſaid, be bound to concur in the repreſſing of thoſe that "ſhall happen to riſe in arms, or make war without con-"ſent of their own parliament." Ruſhworth, IV. p. 375.

The king ſuppoſing, that the Scots, in aiding the parliament againſt him, intended to make war upon England, inferred from this clauſe, that they were guilty of treaſon. This inference was founded not only upon the ſuppoſition above mentioned, but alſo upon the convention of eſtates not being a true parliament, and moreover upon his having given them licenſe to meet, but with ſuch limitations as had not been obſerved. The Scots ſuppoſed on the contrary, that, far from intending to make war againſt England, their deſign was to aid and defend that kingdom againſt the popiſh and prelatical party, and reſcue the king out of their hands. Thus, what the king called *invading England*, the oppoſite party called *aſſiſting it*. This muſt be always remembered when we read the hiſtory of thoſe days.

The

1643. The Scotch army entered England January 15, 1643-4. But it is not yet time to relate what they did there. It will be neceſſary firſt to ſpeak of what paſſed concerning Ireland, and of ſome other important occurrences of the year 1643.

Ruſhworth, V. p. 498.

Affairs of Ireland.

As to Ireland, the ſucceſs of the firſt campaign had been ſo equal on both ſides, that neither could boaſt of having gained any great advantage. The point was to continue the war, each rightly judging, peace would be always very remote, ſo long as things remained in a ſtate of equality. And therefore the king and the parliament thought of ſtrengthening themſelves againſt the enſuing campaign. The treaty of Oxford not ſucceeding, as was eaſy to foreſee, the king thought of means to employ at home the Engliſh troops that ſerved in Ireland, and to that purpoſe, of making a truce with the rebels. As this notable project could not but be odious to the Engliſh, and render ſuſpicious all the king's proteſtations with reſpect to the Iriſh rebellion, he ſaw himſelf obliged to uſe more caution, to procure an excuſe to conclude this ceſſation. This he did by engaging the lord-juſtices of Ireland, and the council of Dublin to countenance his project. But as I may be accuſed of aſcribing to the king motives he never had, I think it incumbent on me to alledge here the unqueſtionable teſtimony of the lord Clarendon. The reader will find it in vol. II. p. 318. fol. edit.

The king forms the project of making a truce with the Iriſh rebels.

Cox, Part 2. p. 130. Borlace, p. 112, &c.

" The king was not all this while without a due ſenſe of " the dangers that threatned him, in the growth and im- " provement of the power and ſtrength of the enemy, and " how impoſſible it would be for him, without ſome more " extraordinary aſſiſtance, to reſiſt that torrent, which he " foreſaw by the next ſpring would be ready to overwhelm " him, if he made not proviſion accordingly. And finding " by degrees, that it was not in his power to compoſe the " diſturbances of England, or to prevent thoſe of Scotland, " and abhorring the thought of introducing a foreign nation " to ſubdue his own ſubjects, he begun to think of expe- " dients which might allay the diſtempers in Ireland; that " ſo, having one of his kingdoms in peace, he might apply " the power of that towards the procuring it in his other " dominions. He was not ignorant, how tender an argu- " gument that buſineſs of Ireland was, and how prepared " men were to pervert whatſoever he ſaid, or did in it; and " therefore he reſolved to proceed with that caution, that " whatſoever was done in it, ſhould be by the council of

" that

" that ſtate, who were underſtood to be moſt ſkilful in 1643.
" thoſe affairs."

Hence it is evident, that the king's deſign in making a truce with the Iriſh rebels, was to employ the Engliſh forces which ſerved in that kingdom, to ſubdue the parliament, and that, to avoid the reproaches which might be caſt on him for it, he reſolved ſo to manage, that it ſhould appear to be done by the council of Ireland, that is, by the lords-juſtices and the reſt of the council. In the paſſage I have quoted, the lord Clarendon inſinuates, that the king came not to this reſolution till about the end of the year 1643, that is, when he was ſure the Scots were to ſend an army into England. For, after relating what had paſſed during the campaign of 1643, the parliament's negotiations in Scotland, the covenant of both kingdoms, the reſolution taken in Scotland to aid the two houſes, the calling of the Oxford parliament, which was not done till December the ſame year; he comes at laſt to ſpeak of the king's reſolution, to make uſe of the Engliſh troops that were in Ireland. " The king, (ſays he) was not all this while without a due " ſenſe of the dangers that threatened him, and how im- " poſſible it would be for him to reſiſt that torrent, which " he foreſaw by the next ſpring would be ready to over- " whelm him.—He began therefore to think of expedients " which might allay the diſtempers of Ireland." It is however certain, the king reſolved to make a truce in Ireland long before the parliament's negotiation with Scotland, and before the Scots reſolution to levy an army. And what invincibly proves that the king was determined, before the engagement of the Scots, is, that the Iriſh truce was ſigned the 15th of September 1643, after a long negotiation. Thus, the lord Clarendon's inſinuation, that the king did reſolve to employ the Engliſh forces of Ireland, only to ſecure himſelf againſt the torrent that was ready to overwhelm him, being very ill-grounded, confirms what will be ſeen hereafter, that he was not induced by neceſſity to make a truce with the Iriſh rebels, but by the hopes of ſubduing the parliament with theſe additional forces.

The king's pretence to conclude this truce.

To have a pretence to conclude this truce, the king believed, the beſt way was to perſuade the publick, it would be extremely advantageous, or rather was abſolutely neceſſary, to the Engliſh in Ireland, and their only refuge, to preſerve what they ſtill poſſeſſed in that country. He had complained ſeveral times, that the parliament neglected the Iriſh war, and would have had a numerous army ſent thi-

1643. ther. But, as I ſaid before, the parliament ſuſpecting, the king's aim was only to weaken them by that diverſion, were contented with ſending from time to time a few ſupplies to continue the war, beſides the Scotch troops which made a great diverſion in the north. Theſe ſupplies, tho' inconſiderable, had however produced this good effect, that the rebels, inſtead of making greater progreſs, had on the contrary loſt much ground after ſeveral defeats. They were however ſtill much ſuperior to the Engliſh, and tho' the Engliſh and Scotch forces were able to curb them a little, they were not ſtrong enough to hope to reduce them to obedience. Nay, it was to be feared, they would in the end be overpowered with numbers, eſpecially as the parliament, ingaged in a war with the king, could not ſend a powerful aid into Ireland for fear of leaving England unprovided. This was the pretence uſed by the king to conclude a truce with the rebels.

Perplexity of the lords-juſtices of Ireland.

In the ſituation of affairs ſince war had been declared between the king and the parliament, the lords-juſtices who governed Ireland were greatly embaraſſed. They had been commiſſioned by the king, and conſequently from him they were to receive their orders. But on the other hand, the parliament having taken upon them to pay the charges of the Iriſh war, they could not openly declare for the king, without forfeiting the aſſiſtance of the parliament, the king not being in condition to ſupply them. A perfect neutrality was not poſſible, becauſe the king's and the parliament's intereſts being oppoſite, they could not implicitly obey the one, without being ſuſpected by the other. They choſe therefore to try to content both, as far as was poſſible, and the rather, as the king and the parliament expreſſed an equal deſire to end the Iriſh war. But they could not remain long in this ſituation. Such was their caſe at laſt, that it was not poſſible for them to pleaſe both. The parliament having ſent in October 1642 a committee to Dublin to aſſiſt the council, and ſettle with the lords-juſtices what related to the continuance of the war [1], theſe commiſſioners were at firſt received with reſpect, but in February 1643, by the king's expreſs order, were ſent back to England. The king was well pleaſed, the parliament ſhould ſupply what was neceſſary for continuing the war, but unwilling they ſhould have any ſhare in the government of Ireland, or their commiſſioners a place in the council of ſtate. Shortly after,

The parliament ſends a committee to Dublin. October 1642; who are well received, and aſſiſt the council. Ruſhworth, V. p. 530.

They are ſent back by the king's order. Ibid.

[1] They carried with them 20,000 l. in ready money, three hundred barrels of powder, ten tun of match, and other ammunition. Ruſhworth, Tom. V. p. 530.

after, he removed ſome of the lords-juſtices and counſellors [1]. Probably, he was then forming the project of a truce with the rebels, and wanted for that purpoſe, that the lords-juſtices and all the counſellors ſhould be diſpoſed to act only by his orders. Beſides, on this ſuppoſition, the parliament's commiſſioners could not but be a great impediment, had they continued to aſſiſt at the council of ſtate. From that time alſo, the inſtances of the lords-juſtices to the king and parliament for aid, became more preſſing and frequent. They repreſented the ſtate of the Engliſh in Ireland as entirely deſperate, without a ſpeedy ſupply of men, money, and ammunition. They ſaid, the officers were very importunate for leave to return to England. In a word, they omitted nothing, that was apt to create a belief, there was no remedy. On the other hand, ſome officers of the Engliſh army preſented a remonſtrance to the lords-juſtices, April the 4th, 1643, declaring, they were reduced to deſpair for want of money to ſubſiſt, and that it ought not to be thought ſtrange, if in their caſe they ſhould have recourſe to the firſt and primary law of nature, namely, the law of ſelf-preſervation. If to theſe ſo earneſt complaints be added, what the lord Clarendon ſays, that the king reſolved ſo to proceed, that every thing ſhould appear to be done by the council of Ireland, the ſending back of the parliament's commiſſioners, and the changes made among the lords-juſtices, and members of the council, one can ſcarce help ſuſpecting theſe complaints to be all begged, on purpoſe to ſerve for pretence to the ceſſation. This ſuſpicion ſeems the more probable, as at that time the affairs of the Engliſh in Ireland were upon a very good foot, and as the marquis of Ormond had juſt gained at Roſs a ſignal victory over the rebels. Accordingly the lords-juſtices, as well as the officers, took care not to make the progreſs of the rebels the ground of their complaints, but only the want of money, proviſions, and ammunition.

1643. Some of the lords-juſtices and counſellors removed by the king. Borlace, p. 112, &c. Ruſhworth, V. p. 537. Clarendon, II. p. 319.

However this be, the remonſtrance of the officers being ſent to the king, he took occaſion from thence to ſend to the marquis of Ormond a commiſſion, impowering him to treat with the rebels, and agree with them upon a ceſſation of arms for one year. He gave notice of it to the lords-juſtices, in a letter of April the 23d 1643, commanding them to aſſiſt the marquis in the execution of his commiſſion, to the utmoſt of their power. The date of this commiſſion is remarkable, for it evidently ſhows, that the Scots reſolution

The king impowers the marquis of Ormond to treat with the rebels. April 23, 1643. Ruſhworth, V. p. 537. Borlace, p. 115.

[1] See the declaration hereafter of both houſes, concerning the affairs of Ireland. Rapin.

1643. resolution to assist the parliament, which was not taken till the following August, was not the cause of the Irish truce.

The lords-justices are very urgent for aid. May 11. Rushworth, V. p. 538. Clarendon, II. p. 320.

May the third, the king renewed his orders to the marquis of Ormond concerning the truce. But before the marquis had received these fresh orders, the lords-justices had writ to the king, the 11th of the same month, a very expressive letter, representing the miserable condition of Ireland; in such terms as showed, that every one was reduced to despair for want of money, and provisions, tho' till then the English forces had been crowned with success against the rebels [1].

The king sends their letter to the parliament. June 16. Rushworth, V. p. 539, —544.

The king, who meant to take advantage of this letter, to demonstrate to the publick, the necessity of the cessation he intended to conclude, sent it to both houses [2], who immediately took the affair into consideration. A committee was appointed, with orders to think of ways to raise money for Ireland. Upon the report of the committee, the parliament resolved to raise money by voluntary contributions, and offered very advantageous terms to such as should advance the sums required [3]. But notwithstanding this, the king, July the 2d, dispatched fresh orders to the lords justices and the marquis of Ormond, to conclude a truce for one year, which they were already endeavouring. From the 20th of June, the general council of the Irish, assembled at Kilkenny, had granted a commission to treat [4].

The king sends new orders about the truce. Id. p. 544. p. 545. Clarendon, II. p. 323. Rushworth, V. p. 547.

September the 7th, the king repeated his orders to the marquis of Ormond, to conclude the truce as soon as possible. At the same time, he ordered him to send into England, all the English forces that could be spared after the conclusion of the truce. His reason was, and he could justly say it then, that an army was preparing in Scotland to invade England. But there was no mention of that article in the foregoing orders.

The truce signed. Id. p. 548.

At length, the cessation was signed the 15th of September, on the condition that both parties should remain in possession

[1] They complained, that they had no victuals, clothes, or other provisions requisite towards their sustenance; no money to provide them of any thing they wanted; no arms, and not above forty barrels of powder in his majesty's stores. Rushworth, Tom. V. p. 538.

[2] The house refused to receive the letter, because not directed as usual, but referred it to a committee to open it, and report the contents. Whitelock.

[3] The adventurers were to have such and such towns, with so many acres of land for security, upon advancing such a sum upon each town. The sum proposed to be raised, was 200,000 l. Rushworth, Tom. V. p. 540, 542.

[4] The commissioners appointed by the catholick party to treat with the marquis of Ormond, were Dannogh Viscount Muskerry, Sir Lucas Dillon, Nicholas Plunket, Sir Robert Talbot, Sir Richard Barnwell, Torlogh O Neal, Geoffery Brown, Ever-Mac Gennis, and John Walsh. Rushworth, Tom. V. p. 548.

ſeſſion of what they held. The king founded the neceſſity of it, firſt, upon a remonſtrance preſented to him December the firſt 1642 by four colonels, as well in their own, as in the names of many other officers, who ſerved in the army of Ireland, wherein they told him, it was impoſſible for them to ſubſiſt any longer, if means were not found to ſupply their preſſing wants. Secondly, upon the repeated letters ſent from the lords-juſtices to the king and the parliament, ſince January 1642-3, wherein they ſaid, the army was going to periſh in few days, for want of aſſiſtance. Thirdly, upon the forementioned remonſtrance of the officers of the 4th of April, wherein they pretended a few hours delay to aſſiſt them, would be too long [1]. Nevertheleſs this army, which was reduced to extremity the firſt of December 1642, found means to ſubſiſt till the 15th of September 1643, though the lords-juſtices complained, they had received no ſupplies ſince November. This is a clear evidence, that all theſe complaints were very much aggravated by the private direction of the king, who meant to uſe them for pretence to the truce. This is what the parliament repreſented in a declaration publiſhed on account of the Iriſh ceſſation, before they had notice of its being concluded: they complained very ſtrongly, that they were never acquainted by the ſtates of Ireland with the treaty of a ceſſation, much leſs was their advice demanded, notwithſtanding that by act of parliament, and by his majeſty's commiſſion under the great-ſeal, both houſes were "to adviſe, "order, and diſpoſe of all things concerning the govern-"ment and defence of that kingdom." They ſaid, that to accompliſh the more eaſily this diſhonorable ceſſation, thoſe of the ſtate in Dublin, who were ſo honeſt and religious as to diſſuade it, were firſt diſcountenanced, and at laſt put out of their places, and reſtrained to priſon, as Sir William Parſons one of the lords-juſtices, Sir John Temple maſter of the rolls, Sir Adam Loftus vice-treaſurer of Ireland, and Sir Robert Meredith, one alſo of the council-table. That it was made only with a view to diſcourage thoſe who had ſubſcribed to advance money upon the parliament's propoſals, in order to render impoſſible the maintenance of the army in Ireland, and to employ it in England, to the deſtruction of the parliament. For theſe and many other

1643.

Both houſes complain of it. Id. p. 555. Clarendon, II. p. 323.

[1] There are no ſuch words in the remonſtrance; they ſay indeed, "They "are brought to ſo great exigency, "that they are ready to rob and ſpoil "one another." Ruſhworth, Tom. V. p. 537.

1643. other reasons, which I omit, not to be tedious; both houses declared the intended cessation void, promising to indemnify those who should refuse to submit to it [1].

Part of the Irish army land in England to serve the king. Novemb. Rushworth, V. p. 299, 300. Clarendon, II. p. 337.

Mean while, the king who was assured of the concurrence of the lords-justices, the council of state, and the marquis of Ormond, general of the army, so ordered it, that after the conclusion of the truce all the English troops that could be spared were sent to him. These forces landed at Mostyn in Flintshire, and their first attempt was upon Hawarden castle, which was surrendered to them the 4th of December. Then they took some other small places in Cheshire [2]; after which the lord Byron [3], who commanded for the king in those parts, besieged Nantwich, January the 15th 1643-4. Three days after, making a sudden and violent storm upon five several places of the town at once, he was every where repulsed with the loss of many of his men. At last, the 21st of the same month, the lord Fairfax, who advanced to relieve the town, entirely routed the Irish army, consisting of three thousand foot, (who were almost all slain or taken prisoners) and of eighteen hundred horse, most of whom escaped by flight, but were so dispersed that they could be of no farther service to the king. Colonel George Monk was taken in this action, and sent prisoner to the tower of London, where he remained some time, till at last he took up arms under the parliament [4]. Thus the king received no advantage by these troops, nay, they rather did him great prejudice, in that by all his proceedings to procure them he confirmed the mistrust entertained by many people, of his being concerned in the Irish rebellion.

They are entirely routed by the lord Fairfax. Rushworth, V. p. 300, 302. Clarendon, II. p. 350.

Monk is taken prisoner.

Several events of the year 1643.

Not to interrupt the thread of the military actions, and of what passed in Scotland and Ireland, I have been forced to pass over several important events of this year 1643, of which it will be necessary to speak, tho' without any connection, as they are of a different nature. The reader will easily, by observing the dates, perceive their relation to the general

[1] Whitelock says, twenty thousand English and Scots in the north of Ireland, vowed "to live and die together "in opposition to the cessation." Mem.

[2] Namely, Beeston castle, Northwich, Crew-house, Dedington-house, and Acton-church. Rushworth, Tom. V. p. 300, 303.

[3] Sir John Byron was made lord Byron of Rochdale, the 24th of October, 29 Car. I. and his brother Richard, Lord Vaughan of Emlyn, the day following. Dugdale's Baron. Tom. II. p. 469.

[4] Among the prisoners were taken a hundred and twenty Irish women with long knives, wherewith they were said to have done mischief. This fight was reported to be as sharp for the time, as any that had happened before in those wars. Rushworth, Tom. V. p. 302.

general affairs. I shall begin with certain projects framed at London, to compel the parliament to make peace, whilst the armies were in the field. 1643.

A plot to force the parliament to a peace.

The king was ever strongly possessed with the notion, that fear alone held most of the people attached to the parliament, and that if he procured them a good opportunity to hold up their heads, he should oblige both houses to make a speedy peace, without demanding the securities, which made the principal obstacle. This was his favorite scheme, as well as of his ministers, his council, his friends, and adherents in London and elsewhere; and this was the spring of several projects to force the parliament to a peace. It would indeed be very strange, that so many able men should be of this opinion, without any manner of foundation. But, on the other hand, one knows not what to think, when it is considered, that of so many projects, built upon this supposition, not one succeeded, which seems to argue that the majority of the people were not for the king. However, it is certain, the king had many friends in London, and in the parliament itself, who served him artfully, by pretending to dread that the war would be destructive to the parliament, and thereby they endeavoured to infuse a real terror into the people, and incline them by degrees to wish and sue for peace. These men incessantly plotted to sow discord between the parliament and the people. As it was necessary for them to hold private correspondence with the court, in order to act according to directions, his majesty sent frequent messengers to London, sometimes secretly, sometimes openly, under colour of bringing messages to the parliament, in order to convey his instructions to his friends, and be exactly informed of what passed in both houses and the city. With this view in December 1642, he published for the sake, as was pretended, of the inhabitants of London, a proclamation for the free and safe passage of all goods, wares, and merchandizes to the city. But the commons suspecting some hidden mystery under this condescension, passed the next month two orders, the one, That no carriers or waggoners should be permitted to go to Oxford or elsewhere, without special licence from the parliament: The other, that any agent or servant to any person that was in arms against the parliament, who should presume to come to Westminster, or reside about London, should be forthwith apprehended as a spy. The 10th of April following, these orders were renewed, and even extended to all persons

The king allows free commerce between his quarters and London, Decemb. 8. Rushworth, V. p. 83.

The commons forbid it. Jan. 16. Id. p. 117.

Id. p. 324.

1643. that ſhould come from the king's quarters to London without a ſafe-conduct, and the ſame was printed and publiſhed.

The king ſends a meſſage to both houſes without a ſafe-conduct. May 20. Ruſh. p. 331.

In all appearance, the king, who had ſo many correſpondents in London, was not ignorant of this order. Nevertheleſs, on pretence it was not ſignified to him in form, he ſent a meſſage to the parliament, with an offer of peace in general terms, without demanding a ſafe-conduct for the bearer. But the commons, reſolving to ſtop the courſe of theſe artifices, which ſerved to carry on the king's private correſpondence in London, ordered the meſſenger to be ſent to priſon, for coming without a ſafe-conduct. Three days after, to ſhow the people, the king vainly amuſed them with hopes of a peace, they impeached the queen of high-treaſon, and ſent up the impeachment to the lords by Mr. Pym. The king, full of indignation at this extraordinary proceeding, publiſhed a proclamation, to forbid obedience to the orders of both houſes, declaring, he acknowledged them no longer for houſes of parliament.

The meſſenger is impriſoned.

The queen is accuſed of high-treaſon May 23. Ruſh. p. 331.

The king forbids obedience to both houſes. Ruſhworth, V. p. 331. Clarendon, II. p. 191.

Affairs were in this ſituation, when both houſes diſcovered a conſpiracy formed in London, ever under colour of procuring peace refuſed by the parliament. I ſhall give the particulars of this conſpiracy, as they were communicated to the lords by Mr. Pym, at a conference between the two houſes. He told them,

A plot to force the parliament to a peace. Ruſhworth, V. p. 322. Clarendon, II. p. 191, &c. 2. May.

"I. That the conſpiracy was formed of a mixture and "conjunction of perſons of ſeveral qualities, ſome whereof "were of both houſes of parliament, others of the city, "and others belonging to the court, who in their reſpective "places and employments were to form and perfect the "work, raiſed out of the aſhes of the late petition of "London for peace.

"II. The chief actors were Mr. Waller, a member of "the houſe of commons, who pretended, and gave out to "the reſt, that many others of that houſe, and of the "lords, were privy to and concerned therein; Mr. Tompkins, a gentleman living in Holbourn, brother-in-law to "the ſaid Mr. Waller, and a ſervant to the queen, as being ſecretary to the commiſſioners for her majeſty's revenue; Mr. Challoner an eminent citizen; one Mr. Blinkark, Mr. Alexander Hampden, who brought the laſt "meſſage from the king; Mr. Haſſel, one of his majeſty's "meſſengers, &c.

"III. The method was, for ſeveral perſons in the city "to diſpoſe of themſelves into a committee, to hold intelligence with both armies, the court, and the parliament,

"to

" to take a general ſurvey of the affections of all the inha- 1643.
" bitants within the weekly bills of mortality, which was
" to be done under theſe three ranks, *right men*, (or of the
" king's party) *averſe men*, (or the well-affected to the
" parliament) and *moderate men*, (or neutrals;) to conſider
" of arms, ammunition, and all proviſions of war; to ap-
" point out of themſelves ſelect perſons to treat with Mr.
" Waller and Mr. Tompkins in relation to the city, court,
" and parliament; as alſo with Sir Nicholas Criſp, Sir
" George Binion, captain Roydon, and others at Oxford.

" IV. Mr. Waller's part, was to engage a conſiderable
" part of the lords and commons, and to be a means of
" conveying counſels, reſolutions, and intelligence between
" them and the ſaid city-committee. Mr. Tompkins was
" not only an aſſiſtant to Mr. Waller therein, but an in-
" ſtrument to convey by Haſiel and others their proceedings
" to the court, principally to the lord Falkland, and to
" receive thence directions, powers, and commands.

" V. For preventing diſcovery, proteſtations of ſecrecy
" were taken, as they were chriſtians not to diſcloſe it, and
" no man in the city was to endeavour the engaging above
" two, whereby no one man could impeach many.

" VI. From the court, Mr. Heron and Mr. Alexander
" Hampden, and others employed upon meſſages from the
" king to the parliament, were to convey directions, en-
" couragements, and advice to thoſe in London, and autho-
" rity was to be given under the great-ſeal, and warrants
" under the king's hand, for ſettling a council of war,
" naming of generals and other officers, execution of mar-
" tial law, raiſing of money, and providing arms; and to
" facilitate the whole, part of the king's forces to be in rea-
" dineſs to aſſiſt the party here, as there ſhould be occaſion.

" VII. The particulars of the deſign itſelf were, to ſeize
" the king's children, to ſecure ſeveral members of parlia-
" ment, particularly the lord Say; the lord Wharton, Mr.
" Pym, Sir Philip Stapleton, colonel Hampden, and
" colonel Strode, as alſo the lord-mayor and committee of
" the militia, under pretence of bringing them to a legal
" trial; to ſeize upon the out-works, forts, magazines,
" gates, and other places of importance in the city and the
" Tower, and let in the king's forces, and in the mean
" time to reſiſt and obſtruct all payments, impoſed by au-
" thority of the two houſes for ſupport of their armies.

" VIII. For their authority they had the following com-
" miſſion brought up by the lady Aubigney, (who was un-

1643. "der cuſtody) the ſaid commiſſion being found hid under-
"ground in Mr. Tompkins's cellar.

"IX. In purſuance of this commiſſion, they had often
"conſulted of a general, and treated with Sir Hugh Pol-
"lard, priſoner in the Compter (once a member of the houſe
"of commons, but expelled, being accuſed of having an
"hand in the deſign to bring up the northern army againſt
"the parliament,) about it. And a declaration was ready
"drawn, ſetting forth the cauſe of their taking up of arms,
"to be in purſuance of their late proteſtation, to maintain
"the true reformed proteſtant religion againſt all papiſts
"and ſectaries, to oppoſe illegal aſſeſſments, &c. which
"was to be diſtributed to their friends, and on the night of
"their riſing ſet upon the poſts round about London. Con-
"cerning which time of their riſing they had alſo conſulted,
"(of which preciſe notice was to be ſent to Oxford, as to
"the day and hour) and ſome moved to have it done on
"Wedneſday the laſt of May (being the faſt day, and the
"very next day after the firſt intimation was given towards
"a diſcovery) but it had been put off, and not fully con-
"cluded, it being ſaid, *it ſhould be left to the lords to deter-*
"*mine*, whom Waller pretended ſhould ſide with them.
"Mr. Haſſel lay cloſe at Beaconsfield, and had word ſent,
"*the great ſhip was come in the Downs*, by which he was to
"underſtand, that the deſign was near ripe; and he ac-
"quainted the lord Falkland at Oxford therewith, and re-
"ceived anſwer, that they ſhould haſten it with all ſpeed,
"and when they were ready, three thouſand of the king's
"forces were to advance from Oxford within fifteen miles
"of London, to be ready upon notice to fall into the
"works, and aſſiſt; and white ribbons or tapes was agreed
"to be worn by all concerned in this action to diſtinguiſh
"them."

T. II. p. 194. The lord Clarendon, who is very large upon this conſpiracy, denies neither the plot itſelf, nor the king's commiſſion, brought to London by the lady Aubigney[1]; but urges, that the parliament confounded in one ſingle plot, two different projects, the firſt formed by Waller, Tompkins, and Challoner, who were at London, and the other

by

[1] This lady, with the conſent of both houſes, went to Oxford, to tranſact her own affairs with the king, upon the death of her huſband, who was killed at Edge-hill, and having done her buſineſs, and being ready to return, ſhe was deſired by the king to carry a ſmall box (in which was put (the commiſſion) to London, and deliver it to one that ſhould come for it with ſuch a token, which ſhe did accordingly; not knowing what ſhe carried. Clarendon, Tom. II. p. 195, Ludlow ſays, ſhe brought the commiſſion made up in the hair of her head, T. I. p. 83.

by Sir Nicholas Crisp, who being recorder of London [1], had been imprisoned, and making his escape, had retired to Oxford. But however, whether there were two plots or one, it is no less apparent, that the king's design was to compel the parliament to a peace, and that his frequent messages to both houses with offers of peace, were often but artifices to carry on his correspondence in London. 1643.

This discovery caused both houses to resolve to unite themselves still more strictly together, by a new covenant or oath, tendered to all the members, and afterwards to the army, and such of the people as were willing to take it. Tompkins, Challoner, and two other conspirators were hanged [2]. But Waller saved his life, paying a fine of ten thousand pounds, and was banished the kingdom. Hampden died in prison before his sentence, and Hassel died likewise the night before his trial. The ill success of this plot prevented not the like from being contrived the next August. Oath agreed on by the two houses. June 6. Rushworth, V. p. 325, 330. Clarendon, II. p. 198, 199, 200.

Since the miscarriage of Waller's conspiracy, the king had a train of successes, which revived the courage of his friends at London, who began to be dismayed. The lord Fairfax was defeated at Atherton in Yorkshire. The queen was come to his majesty with a considerable supply. Waller was intirely routed at Roundway-down; and the king, now master of Bristol, was preparing to besiege Gloucester. Thus crowned with success, he thought it a favorable opportunity to force the parliament to a peace, and all his London friends began to use their endeavours. Whether this project came from the court, or the king had only approved of it, he believed it requisite to prepare the minds of the people by a public declaration, to this effect; New plot. August.

"As the grievances and losses of no particular persons could be compared to the damage he himself sustained; so a peace could not be so welcome to any man as to him. God almighty knew, with what unwillingness, and anguish of soul, he submitted to the necessity of taking up defensive arms. And the world knew, with what justice and bounty he had repaired his subjects for all the pressures they had borne, by such excellent laws, as would for ever have prevented the like; and with what earnestness he desired to add any thing, for the establishment of the religion, The king's declaration after his successes to prepare the people. Clarendon, II. p. 233.

[1] This does not appear. He is said only to be a popular citizen, and had been an officer in the trained-bands. Clarendon, ibid. p. 194.

[2] Tomkins was hanged at the end of Fetter-lane in Holbourn, and Challoner over-against the Royal-exchange, July 5. Rushworth, Tom. V. p. 326. T. May says, that none but them two were executed. B. 3. p. 45.

1643. "religion, laws, and liberty of the kingdom; all which "had been evidently invaded by those who had sacrificed "the public good to their own ends. He well remembred "the protestation made by him, at the head of his army, "*to defend and maintain the true reformed protestant religion,* "*and if it should please God to bless his arms with success, he* "*would maintain the just privileges and freedom of parliament,* "*and govern by the known laws of the land, for whose defence* "*that army was only raised.* And there could not be a more "seasonable time to renew that protestation than now, "when God had vouchsafed him so many victories, which "would hinder him from falling under the scandalous im- "putation, that his messages of peace proceeded from the "weakness of his power, not love of his people. He de- "clared therefore to all the world, in the presence of God, "that he was so far from intending any alteration of the "religion established, in which he was born and bred, and "would resolutely die, or from the least thought of invad- "ing the liberty and property of the subject, or violating "the just privileges of parliament; that the preservation of "the established religion, the laws, the liberties of the "people, and the just privileges of parliament, should be "equally his care, as the maintenance of his own rights. "Whether those that were enemies to the established eccle- "siastical government, who persecuted the learned, ortho- "dox ministers, and put into their places, ignorant, sedi- "tious, and schismatical preachers, who vilified the book "of Common-prayer, and profaned God's worship, were "like to advance religion: whether those who, without "the least shadow of law, imposed exorbitant taxes upon "their fellow subjects, imprisoned, tormented, and mur- "dered them, were like to preserve the liberty and pro- "perty of the subject: and whether those who had invaded "the just rights of the crown, denied the king his negative "voice, awed and terrified the members of both houses, "were like to vindicate the privileges of parliament, all "the world might judge." In short, after several invectives against the two houses, he concluded with saying: "*Who-* "*soever have been misled, by those whose hearts from the begin-* "*ning have designed all this mischief, and shall redeem their* "*past crimes, by their present service and loyalty, in the appre-* "*hending or opposing such who shall continue to bear arms against* "*us, and shall use their utmost endeavours to reduce those men* "*to their due obedience, and to restore the kingdom to its wonted* "*peace, shall have cause to magnify our mercy, and to repent*

"*the*

" *the treſpaſſes committed againſt ſo juſt and gracious a ſove-* 1643.
" *reign* [1]."

It is not difficult to perceive, that by this declaration, and eſpecially by the latter part of it, the king's aim was to excite and authorize an inſurrection in London againſt both houſes, and what happened preſently after puts it intirely out of doubt. This declaration was therefore a preparative for the execution of a plot, to compel the parliament to a peace. Undoubtedly, the king was really deſirous of a peace. But it muſt be always remembred, what peace it was he ſo earneſtly wiſhed. It was a peace that ſhould re-inveſt him with all his prerogatives, after which he promiſed to govern according to the known laws of the land. But in this promiſe lay the whole difficulty of the peace, the parliament pretending it could not be relied on, and the king offering no other ſecurity than his word, tacitly ſuppoſing it to be a crime to doubt his ſincerity.

The houſe of Lords propoſe to ſend offers of peace to the king. Clarendon, II. p. 245.

This declaration was no ſooner publiſhed than the king's friends began their uſual artifices in London. They affected an extraordinary terror, cauſed by the proſperous ſucceſs of the king's arms, and inſinuated, that the conſequences ſhould be prevented by a peace. But as the examples of Tompkins and Challoner had effectually terrified the king's moſt devoted friends, not one dared openly to expoſe himſelf to the ſame danger. It was therefore reſolved among them, that the houſe of lords ſhould firſt break the ice, and propoſe a peace to the commons, which ſhould be ſeconded by the king's friends in London. The upper-houſe conſiſted but of few peers, ſome of whom were either openly or privately for the king. Others were his enemies, and ſome were ready to follow the ſtream which way ſoever it carried them. Theſe were the men the kings's party ſtrove to gain by various means, in order to be ſuperior in the houſe of lords, ſome by promiſes, others by threats, and ſome again by way of perſuaſion, intimating to them the abſolute neceſſity of a peace. In ſhort, they ſecured a majority of voices in the upper-houſe: not that all they prevailed with, abſolutely promiſed to be devoted to the king: (that was not the point;) but only to agree that a peace ſhould be propoſed by their houſe, which could not be conſidered but as a very

[1] Adding, " We deſire all our good " ſubjects, who have really wiſhed us " well, now God has done ſuch won- " derful things for us, vigorouſly to " endeavour to put an end to all theſe " miſeries, by bringing in men, mo- " ney, plate, horſes, or arms, to our " aid, that ſo we being not wanting " to ourſelves, may with confidence " expect the continuance of God's " favour, to reſtore us all to that " bleſſed harmony of affection, which " may eſtabliſh a firm peace."

1643. very innocent thing. The managers of this contrivance took care, not to propoſe a peace without terms, ſuch as the king deſired. That alone had been ſufficient to make them loſe ſome of thoſe they had gained. They had only to engage the commons to enter into negotiation, after which, they hoped the ſuperiority the king then had, ſupported with the endeavours of his party, would be capable to remove in his favour the difficulties that might occur in the principal articles. This reſolution being taken, the lords ſent and deſired a conference with the commons, where they declared, that they had reſolved to ſend propoſitions of peace to the king, and hoped the commons would concur with them. The propoſitions were:

Propoſitions for peace given to the commons, in a conference by the lords, Auguſt 5, Ibid.

"1. That both armies might be preſently diſbanded, and "his majeſty be intreated to return to his parliament, upon "ſuch ſecurity as ſhould give him ſatisfaction.

"2. That religion might be ſettled with the advice of "a ſynod of divines, in ſuch a manner as his majeſty, with "the conſent of both houſes of parliament, ſhould appoint.

"3. That the militia, both by ſea and land, might be "ſettled by a bill; and the militia, forts, and ſhips of the "kingdom, put into ſuch hands as the king ſhould appoint, "with the approbation of both houſes of parliament: and "his majeſty's revenue to be abſolutely and wholly reſtored "unto him; only deducting ſuch part, as had been of "neceſſity expended for the maintenance of his children, "and not otherwiſe.

"4. That all the members of both houſes, who had been "expelled only for abſenting themſelves, or mere compli- "ance with his majeſty, and no other matter of fact againſt "them, might be reſtored to their places.

"5. That all delinquents, from before the tenth day "of January 164r, ſhould be delivered up to the juſtice of "parliament, and a general pardon for all others on both "ſides.

"6. And laſtly, that there might be an act of oblivion "for all by-gone deeds, and acts of hoſtility."

Probably, thoſe who had cauſed theſe propoſitions to be paſſed in the houſe of peers, did not themſelves believe a peace could be made upon theſe foundations. The difficulties which occurred in the three firſt propoſitions, had been very often debated, both before and ſince the beginning of the war, without the poſſibility of coming to any concluſion. It was therefore unlikely, that the king, in his proſperity, would grant what he had denied when his affairs were not

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in so good a situation. But, as I said, the intention of the managers of this contrivance was only to procure a negotiation, persuaded as they were, that by their interest and cabals, or by an insurrection of the people, they should cause these points to be decided in favour of the king. For that reason, the principal proposition, namely, the third concerning the militia, which the parliament had always carefully explained, was expressed in a very general and ambiguous manner, in these terms, *That the militia might be settled by a bill.* 1643.

The commons plainly saw what was the aim of the authors of these propositions, and were terrified at it. The house was apprehensive, that they were but too powerfully supported, otherwise, it was not likely they should have taken such a step, at a time when a committee was already gone to desire assistance of the Scots. Wherefore, after a long debate, it was resolved, by a majority of votes, that the propositions should be sent to the king. It is extremely probable, this resolution was taken only to amuse the king's friends, and to gain time, in order to break their measures the more easily. For the next day the lord-mayor of London, attended with a crowd of people, came to the house of commons, of which he was a member, and delivered, from the common-council, a petition, wherein the house was intreated to persist in their former resolutions, and reject the propositions of the peers. The lord-mayor affirmed also, that the people of London were ready to exert their utmost for the vigorous prosecution of the war. Whereupon, the house took courage again, and reversed the resolution of the foregoing day. Thus, the king's friends were in their turn greatly embarrassed, and under a necessity of taking new measures. The expedient they devised was to cause the women to rise, in hopes that such an insurrection might breed a greater, and occasion some revolution.

The commons in a fright consent to the propositions. Clarendon, T. II. p. 246.

The petition of the city of London against the propositions. Rushworth, V. p. 356. Clarendon, T. II. p. 247.

The propositions are rejected.

August the 9th, a petition for peace was presented to the commons by two or three thousand women, with white silk ribbons in their hats. The conditions proposed by them were exactly the same as the king had always offered. A general answer being sent to them, they were not satisfied, and their number by noon increasing to five thousand, they came to the door of the house, crying, "*Peace, peace; give* "*us those traitors that are against peace, that we may tear them* "*to pieces; give us that dog Pym.*" Part of the trained-bands (that usually stood centinel there) firing upon them with powder only, to fright them away, they laughed at it, and

The women's tumult. Rushworth, V. p. 357. Clarendon, T. II. p. 248.

1643. and finding a heap of brickbatts in the yard, threw them at the centinels, and drove them away. At laſt, ſome troops were forced to be ſent for, who, after uſing fair means in vain, drew their ſwords, and cut them over their hands and faces. A ballad-ſinger was killed upon the ſpot [1], and another woman loſt her noſe, whereof it was ſaid ſhe afterwards died. At length, they were diſperſed. The lord Clarendon, (who ſays many were killed and wounded,) affirms, they were the wives of ſubſtantial citizens; which is hardly credible [2]. Thus ended the grand project of forcing the parliament to a peace, a project wherein means was found to ingage ſeveral lords and many commoners, under colour that a peace was neceſſary to the ſtate. Nothing could be truer, but care was taken not to diſcover to them, that on pretence of labouring for the public, the king's advantage alone was really ſought.

Ibid.

Character of the earl of Eſſex.

The earl of Eſſex was one of thoſe who were moſt deſirous of peace, but not in the ſame manner as the king's friends. Theſe were for a peace, and uſed their utmoſt endeavours to procure it: but it was ſuch a peace as the king offered, that is, a peace founded only upon his word. The earl of Eſſex did not think it impracticable, in concluding a peace, to find neceſſary ſecurities for the nation's liberties: as appears in his letter of the 9th of July to the ſpeaker, wherein, after the deſcription of Chalgrave-field, he ſays, "If it were thought fit to ſend to his majeſty to have peace, with the ſettling of religion, the laws and liberties of the ſubject, and to bring unto juſt trial thoſe chief delinquents that have brought all this miſchief to both kingdoms: and (as my lord of Briſtol ſpake once in parliament) how we may be ſecured to have theſe things performed hereafter; or elſe, if his majeſty ſhall pleaſe to abſent himſelf, there may be a day ſet down to give a period to all theſe unhappy diſtractions by a battle, which, when and where they ſhall chuſe, that may be thought any way indifferent, I ſhall be ready to perform that duty I owe you; and the propoſitions to be agreed upon between his majeſty and the parliament, may be ſent to ſuch an indifferent place, that both armies may be drawn near the one to the other; that if peace be not concluded, it may be ended by the ſword."

His letter to the ſpeaker. July 9. Ruſhworth, V. p. 291.

It

[1] Ruſhworth ſays, ſhe was ſhot by the centinels, who, upon the brickbats flying about their ears, were forced to fire ball. Tom. V. p. 358.

[2] Ruſhworth ſays, they were generally of the meaner ſort. It is a little ſtrange, Whitelock ſhould ſay nothing of this tumult, who is ſo particular in every thing relating to the houſe of commons.

It is evident, this is not the language of a man propoſing 1643.
a peace to gratify the king, and ſolely with intent to procure a negotiation from which the king might reap ſome advantage; but of one that heartily wiſhed for ſuch a peace, as might put a happy period to the diſtractions of the kingdom: or if that could not be by means of a peace, to end them at leaſt by a battle. He was, doubtleſs, of opinion, that the nation would run leſs hazard by venturing a deciſion by arms, than by the continuation of the war. Nothing better demonſtrates the uprightneſs of his intentions. But there were few in thoſe days of the ſame diſpoſition. The king paſſionately wiſhed for peace; but it was on condition he ſhould be no loſer by it, that he ſhould be reſtored to all his rights, and his word relied on for the future. As to religion, all he would yield was, that the preſbyterians ſhould not be compelled by penal laws to conform to the church of England. Hitherto he had advanced nothing that might make them hope for a public toleration of their religion. The parliament for their part wiſhed likewiſe for peace, provided by the peace the king was reſtrained from returning to his former courſes, that is, was ſo humbled that he ſhould be able to do nothing without the conſent of both houſes, and enjoy only the empty name of a king, with the external badges of royalty. As to religion, there were very many, as well members as others, who preferred the continuation of the war, let what would be the event, to ſeeing the biſhops reſtored to their power. This muſt be always remembred, when either of the two parties is heard to ſpeak of peace. The like diſpoſition to the earl of Eſſex's was doubtleſs the cauſe that ſome were dazzled with the bare ſound of peace, and the limitations inſerted in the propoſitions to be ſent to the king at the time of the late plot. But it may be affirmed, that the chief authors of the artifice were far from having the nation's welfare in view, and thought only of ſerving the king. I don't queſtion, but ſome others were perſuaded to conſent to the propoſitions by reaſon of the end propoſed by the preſbyterian party and now publickly known, as they perceived, that the advantages the parliament might gain upon the king in the continuation of the war, would only ſerve to ruin the church of England with the greater eaſe.

The king tries in vain to gain the earl of Eſſex.

The earl of Eſſex's integrity made him experience what uſually happens to honeſt men in civil diſſenſions, where the moderate paſs for indifferent, and coldly affected to their party. The king, who was informed of this lord's modera-

tion,

1643. tion, imagined, he desired a peace only because he was displeased with the parliament, and convinced of the injustice of the cause he had espoused. In this belief, he unsuccessfully used all means to gain him. On the other hand, the most violent of his party grew jealous of the earl of Essex, perceiving he was no proper instrument for their designs. Wherefore they no longer confided in him, or at least, feigned not to trust him; in order to have, by his removal, another general, more compliant and manageable. They cast their eyes on Edward Montague earl of Manchester, known formerly by the name of the lord Kimbolton, and began with advancing him to the command of the forces of the eastern associated counties, to which Lincolnshire was lately added, to go and oppose the earl of Newcastle; and an ordinance was passed, to raise new levies by pressing, to reinforce that army.

Rushworth, V. p. 566, &c. Clarendon, T.II. p.338. which renders him suspected to the parliament. The earl of Manchester is made general of the associated counties. Id. p. 248.

The earl of Essex is displeased.

If the earl of Essex had joined with the parliament only out of passion, humour, or interest, the mortifications he met with, would have been apt to make him turn to the king, to be revenged of the two houses. But that was not his character. Though he had complained several times of the disregard shown him, in leaving his army without recruits and cloaths, and though several lords of the king's party took this occasion to try to persuade him to change sides, he ever remained firm to his principles. How strong soever their solicitations might be, he never gave the least reason to believe, he was capable of betraying the parliament, who had trusted him with the command of their forces. Both houses being informed of the instances made to their general, assured him of their esteem and acknowledgment for his great services, and promised to recruit and cloath his army, before those of Sir William Waller, and the earl of Manchester, which was accordingly done. This satisfaction was more than sufficient to make him forget all the occasions of complaint before given him. A famous historian has been pleased to ascribe the earl of Essex's constant attachment to the parliament, to his not having steadiness enough to engage in so hazardous an enterprize, as that of forcing the parliament to a peace. I am persuaded, this was owing to the king's, and all his party's prepossession, that there was not a single man for the parliament, that was satisfied of the justice of his cause. This prejudice was never relinquished.

Clarendon, T.II. p.249.

What the project of the king's friends was

The project of those who had undertaken to gain the earl of Essex, was, that as soon as he should give the word, the lords

lords and commoners who were in the ſecret, ſhould retire to the army, and under the ſecurity thereof, proteſt againſt the violence that was offered, the breach of their privileges, by the common-council's taking notice of their debates and over-ruling their concluſions, by hindering the ſending of the propoſitions to the king. They did not doubt, but by their example great numbers would take the ſame courſe, by which means they hoped to be ſtrong enough to conſtrain the parliament to make peace. And in caſe the parliament ſhould remain obſtinate, their deſign was to enter upon a ſeparate treaty with the king; as men undeceived, who having been ſeduced by the parliament, were at length ſenſible of the injuſtice of their cauſe. They imagined, the whole kingdom would do the ſame, and the parliament be intirely forſaken! For the king and his party always fanſied, that among the parliament's adherents, not one was ſo, through perſuaſion, honour, and conſcience, but through ſeduction, fear, and ignorance. This cauſed them to take ſo many wrong ſteps, to compel the parliament to a peace by the people's means, ſteps that proved extremely prejudicial to the king. That with regard to the earl of Eſſex, was no leſs ſo than the reſt. The lords and commoners who were concerned in this ſtratagem, as well as in Waller's plot, fearing the earl of Eſſex might diſcover them, thought proper to avoid being called to an account, by retiring to the king. Of this number were the earl of Portland [1], and the lord Conway, who had been impriſoned for Waller's affair, and afterwards releaſed, the lord Lovelace, who had only ſtaid with the parliament by the king's leave, the earls of Clare, Bedford [2], and Holland. The earl of Northumberland, diſſatisfied with his not having in the parliament the ſame credit as formerly, feigning an indiſpoſition, obtained the parliament's leave to retire for his health to his houſe at Petworth in Suſſex. As this place was liable to be infeſted from ſome of the king's quarters, it was generally believed, he had aſſurances of not being moleſted. The flight of all theſe peers turned greatly to the king's diſadvantage, as it deprived him of ſo many friends in the parliament, who were always ready to ſerve him, and were wont to direct his adherents in London. Moreover, by the abſence of theſe lords, the king's enemies were more at their eaſe, and found fewer obſtacles to their deſigns than before. 1643.

Clarendon, T. II. p. 249, 250.

[1] Jerom Weſton, ſon to the lord treaſurer Weſton, who was created earl of Portland, &c. [2] Rapin, by miſtake, ſays Dorſet. The names of theſe three earls, were, John Hoiles, William Ruſſel, and Henry Rich.

1643. before. For ſhortly after, the earl of Eſſex's army was enabled to relieve Gloceſter, and the parliament approved of the covenant made with Scotland, in which doubtleſs they would have been oppoſed by thoſe that were lately withdrawn. I muſt now proceed to other matters.

Diſgrace of Sir John Hotham. Id. p. 476.

I juſt mentioned, that Sir John Hotham, governor of Hull, was apprehended by order of parliament: it is now time to ſpeak of the cauſe of his diſgrace. The king had been ſo incenſed with him, that there was little probability of his ever pardoning the indignity he had received from him, or of Hotham's delivering himſelf into his hands. And yet, the deſire of becoming maſter of Hull in the one, and the thirſt of revenge in the other, made them forget all that was paſt. Hotham, as he could not bear that, after the ſervice he had done the parliament in keeping Hull for them without dreading to expoſe himſelf to the king's indignation, the lord Fairfax ſhould be made commander in chief of all the forces in the north, an honour, which doubtleſs he thought himſelf more worthy of, reſolved to be revenged for this pretended injuſtice, by delivering the place to the king [1]. The preciſe time of his applying himſelf to the earl of Newcaſtle is not known; but it is certain, he writ ſeveral letters to him, which were communicated to the queen whilſt ſhe was in the north. He had drawn his ſon, captain Hotham, into the plot, and it was agreed between them, to deliver Hull to the queen, when on her march with her troops to the king. Mean while, young Hotham having given ſome occaſion to ſuſpect him, was ſeized by Sir John Meldrum, and ſent priſoner to Nottingham-caſtle. Hotham found means to eſcape, and going to Lincoln, writ from thence to the parliament, complaining of the injury done him, and affirming, he was ready to anſwer whatever ſhould be laid to his charge. But as the queen was now upon her march, and it was time to execute the deſign, he returned to Hull, to contrive the means with his father. The queen thought herſelf ſo ſecure of having Hull very ſoon in her power, that ſhe ſaid in her letter of the 27th of June to the king, "She ſtayed at Newark but for "one thing, to have Hull and Lincoln, for which ſhe hoped "he would pardon two days ſtop." At the ſame time that the order was ſent to ſeize young Hotham, the mayor of Hull was told to have an eye upon the father, examine his conduct, and take care to preſerve the town. The ſon's return

Ruſhworth, V. p. 275.

Ruſhworth, V. p. 275.

June.

June 24.

Id. p. 274.

[1] Whitelock obſerves, that Hotham was as high and moroſe, as Fairfax was meek and courteous, p. 70.

return to Hull after his escape from Nottingham, the suspicions he already lay under, and the notice received from Mr. Moyer, captain of a man of war then in the road, that Hull was going, that night or the next, to be delivered to the king, made Sir Matthew Boynton the mayor, though brother-in-law to the governor, resolve to prevent it. That very night, whilst the Hothams were in bed, all the townsmen, officers, and soldiers of known affection to the parliament, were assembled without noise, and all the ports of the town seized, without one drop of blood, or so much as a musket discharged. Mean while, I know not for what reason, they had neglected to secure the two Hothams [1], who found means to get out of the town: but at their coming to Beverley, they were both seized and brought to London, where, after a long imprisonment, they were condemned and executed [2]. 1643. June 28. Rushworth, V. p. 744, —750.

There were two things which did the king great injury, with regard to the people, and from which he omitted no opportunity to justify himself, knowing how detrimental such prejudices might be to him. The first was, that he countenanced popery; the second, that he had excited the Irish rebellion, or at least connived at it. These two articles both houses made no scruple to insinuate, and even to maintain openly in their papers. Not that they had positive proof of what they advanced; but they drew from his actions and divers past events, inferences, to some of which, it must be owned, the king answered but weakly, or in generals, or, according to his custom, by ambiguous expressions, capable of a double meaning.

As to the first charge, he took occasion to make the following protestation, just as he was going to receive the sacrament from the hands of archbishop Usher.

My Lord,

I espy many resolved protestants, who may declare to the world, the resolution I do now make. I have, to the utmost of my power, prepared my soul to become a worthy receiver and may I so receive comfort by the blessed sacrament, as I do intend the establishment of the true reformed protestant religion, as it stood in its beauty, in the happy days of queen Elizabeth, without Protestation of the king concerning religion at Oxford. July. Rushworth, V. p. 346.

[1] The son was secured, but the father, upon the first notice of what was doing, got out at Beverley gate, there having been no orders to stop him. Rushworth, Tom. 5. p. 276.

[2] The son was beheaded on Tower-hill, January 1, and the father January 2, 1644, both denying they ever intended to deliver up Hull. Id. P. 749.

1643. *without any connivance at popery. I, bleſs God, that in the midſt of theſe publick diſtractions, I have ſtill liberty to communicate; and may this ſacrament be my damnation, if my heart do not join with my lips in this proteſtation.*

Remark on this proteſtation.

Charles I. was undoubtedly very zealous for the proteſtant religion, as profeſſed in the church of England. But it is no leſs certain, he never ſcrupled to favour the papiſts, either out of complaiſance to the queen, or from a belief, that the ſtrict obſervance of the penal laws made againſt them, was not neceſſary to the welfare of the proteſtant religion. It is therefore very difficult to explain what he meant by theſe words, *without any connivance at popery.* It cannot be thought, that his intention was to ſwear, he would never grant the papiſts any toleration, ſince at this very time he was negotiating the Iriſh ceſſation, whereby toleration was granted to the catholicks of Ireland; and it will hereafter appear, that in treating of a peace with the rebels, he ſcrupled not to grant them that article. Much leſs ſtill may we venture to affirm, that by the word *connivance*, he underſtood all manner of condeſcenſion for the papiſts. This ſenſe would be repugnant to his principles and uſual practice. It ſeems therefore moſt reaſonable to think, that he made a diſtinction between popery and papiſts, and that when he promiſed to eſtabliſh religion in its beauty, his meaning was, that he would ſuffer no popiſh tenets to be mixt with the doctrines of the church of England. But if this was his meaning, it was not to the purpoſe, ſince this was not properly the thing he was charged with. As he was very artful in chuſing expreſſions, to which it was difficult to give a fixt and determinate ſenſe, it is certain, his moſt ſolemn proteſtations produced not the intended effect.

As to the ſecond charge relating to the Iriſh rebellion, I do not think I can give a clearer knowledge of the matter, than by inſerting the ſubſtance of a declaration publiſhed on this occaſion by both houſes, the 25th of July 1643. They ſhewed,

The declaration of both houſes againſt the king, concerning the rebellion in Ireland. Id. p. 316.

"That in the ſecond year of his majeſty's reign, a deſign was formed in Ireland, to bring in a publick toleration of the popiſh religion in that kingdom, and to ſuſpend all proceedings againſt papiſts, for a ſum of money to be paid to his majeſty. That the then biſhops of Ireland made a proteſtation againſt it, ſetting forth, how grievous a ſin it was to conſent to ſuch a toleration, and of what dangerous conſequence it might be. And the houſe

" houſe of commons, in a remonſtrance made in the third 1643.
" year of his majeſty's reign, informed, that even then the
" popiſh religion was profeſſed in every part of that king-
" dom, and that monaſteries and nunneries were then new-
" ly erected, and repleniſhed with men and women of ſe-
" veral orders, beſeeching his majeſty, that ſome ſpeedy
" courſe might be taken for redreſs therein; yet in the be-
" ginning of the fourth year of his majeſty's reign, all this
" was granted and confirmed by his majeſty, in conſidera-
" tion of one hundred and twenty thouſand pounds, to be
" levied in three years upon the kingdom in general, as
" well upon the proteſtants, as upon the papiſts.

" That many potent and notorious papiſts had been
" created peers by his majeſty.

" That when, by direction of the lord chancellor Loſ-
" tus, and the earl of Cork, then lords-juſtices, proceed-
" ings were begun againſt the papiſts upon the ſtatute of
" 2 Elizabeth, for not coming to church, and the judges
" in their circuits gave that ſtatute in charge, and indict-
" ments were framed thereupon, directions were ſent from
" England, to ſuſpend and ſtay all proceedings upon that
" ſtatute, when by taking the penalty impoſed by that ſta-
" tute, being nine-pence, for abſenting from church, ſun-
" days and holidays, the poor proteſtants there might have
" been eaſed of many heavy payments and taxes, which
" were after impoſed upon them.

" That the late earl of Strafford, being the king's lieute-
" nant there, did by his great favourite Sir George Rat-
" cliff, one of his majeſty's privy-council of that kingdom,
" hold correſpondency with the popiſh clergy, and particu-
" larly with Paul Harris, a known prieſt, who had both
" publick and private acceſs to Sir George Ratcliff at all
" times, as well by night as by day.

" That in March 1639, the earl of Strafford carried
" with him into Ireland, Sir Toby Matthews, a notorious,
" pernicious, Engliſh jeſuited prieſt, (baniſhed at the begin-
" ning of this parliament, upon the importunity of both
" houſes) lodged this prieſt overagainſt the caſtle of Dub-
" lin, the houſe where the earl did himſelf reſide, and
" from whence this prieſt daily rode to the publick maſs-
" houſes in Dublin, and negotiated the engaging of the
" papiſts of Ireland, in the war againſt Scotland.

" When the late lord chancellor Loftus, and the earl of
" Cork, were lords-juſtices, they endeavoured to ſuppreſs
" the maſs-houſes in Dublin, and to convert them to pious

1643. " uſes; one, which was in the ſtreet called the Back-lane, " they diſpoſed of to the univerſity of Dublin, who placed " a rector and ſcholars in it, and maintained a weekly lec- " ture there: But after the Earl of Strafford came to the " government, the lecture was put down, the ſcholars diſ- " placed, and the houſe became a maſs-houſe, as for- " merly it had been.

" That divers monaſteries and nunneries were newly " erected, immediately before the rebellion broke forth in " divers parts of that kingdom: That at the Naas, where " the earl of Strafford had his chief ſeat and reſort, con- " vents of friars, namely, Auguſtines, Franciſcans, Domi- " nicans, were not only permitted, but alſo an houſe built " there by the ſaid earl, for another purpoſe, (as he pre- " tended) ſoon after the building was converted to a friery, " by the connivance of the ſaid earl.

" That the popiſh Iriſh army was kept on foot there " for a long time after the beginning of this parliament; " to the great furtherance of this rebellion, by teaching " thoſe barbarous villains the knowledge of arms, under " the notion of fighting againſt Scotland, but now made " uſe of to extirpate both Engliſh and Scots from the king- " dom of Ireland.

" And that lead might not be wanting to the compleat- " ing of this intended rebellion, the ſilver-mines of that " kingdom, which afforded great ſtore of lead, and there- " fore fit only to be in the hands of proteſtants of known " integrity, were farmed out by his majeſty to moſt perni- " cious papiſts, namely, Sir George Hamilton, Sir Baſil " Brook, and the like; and upon the diſcovery of the plot " for the ſurprizing of the city and caſtle of Dublin, divers " barrels of muſket-bullets were found (upon ſearch) in the " houſe of the ſaid Sir George Hamilton in Dublin.

" That the earl of Strafford had, by a violent endeavour, " entitled his majeſty by office to the whole counties of " Roſcommon, Mayo, Slego, Galloway, and Clare, and " to a great part of the counties of Limerick and Tippe- " rary; by which means a door was opened, not only to " increaſe his majeſty's revenue, but therewith to ſettle a " plantation of proteſtants; and yet when the lords-juſtices " and council of Ireland, did by their letters exceedingly " importune his majeſty, that he would not part with thoſe " counties; and that the plantation of Engliſh proteſtants " might proceed as was formerly intended; his majeſty, " notwithſtanding, did, in the queen's preſence, by a clan-

deſtine

" deſtine agreement, give away, at a papiſt's requeſt, thoſe 1643.
" five whole counties, for a rent of 2000 *l.* or thereabouts.

" That archdeacon Maxwell teſtifies in his examinations
" taken in Ireland, that he heard Tirligh Oge O Neale,
" brother to Sir Phelim O Neale, the arch-rebel of Ulſter,
" confeſs, that the rebellion was communicated by the po-
" piſh Iriſh committee to the papiſts in England, who pro-
" miſed their aſſiſtance. And Mac Mahoun, who was to
" join with the lord Mac Guire for the ſurprizing the ca-
" ſtle of Dublin, being taken and examined, at the rack
" confeſſed, that the original of that rebellion was brought
" to them out of England, by the Iriſh committee em-
" ployed to his majeſty for redreſs of grievances.

" That the earl of Caſtlehaven, a peer of England, and
" a notorious rebel in Ireland, Mr. Porter who declared
" himſelf a papiſt in Ireland, Sir Baſil Brooke, the popiſh
" treaſurer for the monies raiſed by the queen's ſolicitation
" for the war againſt the Scots; Mr. Andrew Brown a
" lawyer of Lincoln's-inn, heretofore expelled thence for
" being a known papiſt, with divers other dangerous Eng-
" liſh papiſts, went out of England into Ireland, the ſum-
" mer before the rebellion broke forth, and were very ac-
" tive there.

" That the rebels in all parts of Ireland profeſſed, that
" the cauſe of their riſing was to preſerve his majeſty and
" the queen, from being oppreſſed by the puritan parlia-
" ment, and that it was by their conſent, for they had
" good warrant in black and white for what they did.
" They called the Engliſh army, parliament-rogues, and
" traitors to the queen; and told them at the beginning of
" the rebellion, that e're long they ſhould ſee England as
" much in blood as Ireland then was: That they had their
" party in England and Scotland, which ſhould keep both
" kingdoms ſo buſy at home, that they ſhould not ſend any
" aid againſt them, with a multitude of ſuch-like expreſ-
" ſions from the Iriſh of the beſt quality; as may appear
" by the examinations of colonel Audley Mervin, William
" Steuart, Eſq; Henry Steuart, Gent. herewith printed,
" and by divers other proofs.

" In the ſame month of October, wherein the rebellion
" of Ireland brake forth, the lord Dillon of Coſtclough
" (now in arms againſt the parliament and kingdom of
" England) went out of Scotland from his Majeſty into
" Ireland, bringing his majeſty's letters, obtained by me-
" diation of the queen, to be preſently ſworn a privy-

1643. "counſellor of Ireland; who when he had taken the oath "of a privy-counſellor, preſents to the lords-juſtices and "council, from many of the inhabitants of the county of "Longford, a letter in the nature of a remonſtrance, full "of unreaſonable demands: As namely, to have freedom "of religion, a repeal of all laws made to the contrary, "and the like.

"In December after the rebellion, the ſame lord Dillon, "together with his brother-in-law, the now lord Taaffe, "a notorious papiſt, repaired into England, bringing with "them ſeveral papers and inſtructions from many lords and "gentlemen of the Pale, all now in rebellion, to negotiate "for them to his majeſty; and as they ſolicit with his "majeſty here on the behalf of the rebels, ſo do they ſo-"licit the rebels from hence in the name of his majeſty, "to perſiſt in their rebellion, as appears by the teſtimony "of Mr. Jephſon, a member of the houſe of commons, "lately delivered at a conference before both houſes in "theſe words, viz.

'*At my late being at Oxford, finding my lord Dillon and the lord Taaffe in favour at court, I acquainted the lord Faulkland, his majeſty's ſecretary, that there were two lords about the king, who, to his majeſty's great diſhonour, and the great diſcouragement of his good ſubjects, did make uſe of his majeſty's name to encourage the rebels: To make this appear, I informed, that I had ſeen two letters ſent by the lord Dillon and the lord Taaffe to the lord of Muſkerie, the chief man in rebellion in Munſter, and one of the Iriſh committee ſent into England, intimating, that though it did not ſtand with the conveniency of his majeſty's affairs to give him publick countenance, yet that his majeſty was well pleaſed with what he did, and would in time give him thanks for it; (or near to that purpoſe.) That theſe letters were ſeen by the lord Inchiquine, the chief commander of the Engliſh forces in Munſter, and by his ſecretary, who had kept copies of them; and that I was ready to juſtify as much. Whereupon the lord Faulkland was pleaſed to ſay, that they deſerved to be hanged. But though I ſtayed there at Oxford about a week after this diſcovery made, I never was called to any farther account, nor any prejudice done to theſe two lords, but they had the ſame freedom in court as before, for ought I could obſerve or hear to the contrary.*'

"That ſince this diſcovery made to the lord Faulkland, "the ſame lord Taaffe, one Roche, and William Brent a "lawyer, active papiſts, with letters from his majeſty, "went from Oxford to Dublin: And upon Thurſday be-

"fore Whitſuntide 1643, in the evening, taking with 1643.
"them one colonel Barry, a profeſt papiſt, and pretending
"for Connaught, ſlipt away to Kilkenny, where the Tueſ-
"day following was a general aſſembly of all the chief
"rebels. When they had done their errand, Barry was
"left lieger at Kilkenny among the rebels; the lord
"Taaffe returned to Dublin; and upon Friday the 9th of
"June 1643, the lord Taaffe, with divers of the privy-
"council of Ireland, that favoured the rebels, met at the
"marquis of Ormond's houſe, where the propoſitions which
"the Lord Taaffe brought from the rebels were debated.
"The lord Taaffe is ſince gone into Connaught, Brent is
"come back to Oxford to give an account of this employ-
"ment.

"By this every man may conſtrue, what was meant by
"his majeſty's not conſenting that the parliament ſhould
"ſend a committee into Ireland the laſt year, to endeavour
"the carrying on the war againſt the rebels, upon pre-
"tence that the earl of Leiceſter was preſently to go over
"thither, who is yet remaining at Oxford. That when
"that committee had prevailed with the lords-juſtices and
"council, and with many of the prime commanders, and
"other officers of the army in Leinſter, to ſubſcribe by
"way of adventure for land in Ireland, to be ſettled by a
"new bill, very conſiderable ſums which were to be de-
"ducted out of their reſpective entertainments; then to
"render this endeavour fruitleſs, one captain Yarner did
"confidently affirm, that thoſe which had or ſhould ſub-
"ſcribe, were enemies to the king, a thing ſo incredible,
"that few could believe it, till the ſame man went to Ox-
"ford; and upon his return to Dublin, aſſured the lord
"marquis of Ormond and the officers, that he had diſ-
"courſed with his majeſty about this way of ſubſcription,
"and that his majeſty did not approve of the ſame: where-
"upon thoſe who had ſubſcribed did withdraw their hands,
"and the reſt were wholly diſcouraged.

"That, about this time, a commiſſion was ſent over to
"meet with the rebels, and to hear what they could ſay,
"or propound for themſelves; which commiſſion was di-
"rected to the lord marquis of Ormond, and to ſome
"other commiſſioners; among whom Thomas Bourk, that
"had an hand in contriving this rebellion, was one, and
"who brought the ſaid commiſſion into Ireland, and confi-
"dently delivered the ſame at the council-table, to the

1643. " amazement of all the council then preſent, that were not " acquainted with the plot.

" That the lords and commons, to whoſe direction the " war was committed, thought it expedient to ſend into " Ireland a committee for that purpoſe, conſiſting of mem- " bers of the houſe of commons, but authoriſed from both " houſes; who carried with them above twenty thouſand " pounds in ready money, beſides great ſtore of powder, " match, and other ammunition: But when thoſe who " favoured the rebels, ſaw, that during the abode of the " committee there, parties were continually ſent forth to " deſtroy the enemy; and that the committee engaged " their own particular credits, to take up monies for the " relief and ſetting forth of the army; a letter was ſent " from his majeſty, and brought over by the marquis of " Ormond's own ſecretary, wherein his majeſty did require " the lords-juſtices and council, not to admit the commit- " tee any more at their debates. And it is obſervable, that " this letter was only ſigned with his majeſty's hand, with- " out any ſecretary's hand to avow the ſame.

" The commons cannot conceive what is meant, that " the juſtices and council are ſtraitly charged in that letter, " upon their allegiance, not to ſuffer the committee to " ſow ſedition among his majeſty's good ſubjects; unleſs " to ſtir up and incite the Engliſh ſoldiers in the pay of " the parliament, to proceed vigorouſly againſt the Iriſh " rebels, be conſtrued as the ſowing of ſedition among his " majeſty's good ſubjects.

" That, according to the teſtimony of Sir William Bre- " reton, knight of the ſhire for the county of Cheſter, " there landed, in June 1643, many Iriſh rebels in Werral, " in Cheſhire, ſome whereof acknowledged, that they had " waſhed their hands in the blood of ſeveral Engliſh and " Scotch in Ireland, and now hoped to waſh their hands " in the blood of Engliſhmen in England: The country " where theſe rebels firſt arrived, did all riſe with their beſt " weapons, and apprehended ſeveral of them; but they " were reſcued out of their hands by a troop of horſe, " which came from the commiſſioners of array, who alſo " ſeized about twenty-eight of the honeſt countrymen pri- " ſoners.

" And that the councils now predominant at Oxford, " and the ſupreme council of rebels at Kilkenny, are con- " curring and aiding one another, as well by ſea as by " land, is apparent by that which follows: the commiſ-

" ſioners

" ſioners authorized to command the king's forces in the 1643.
" weſt, by an authority derived unto them under the great
" ſeal of England, do grant commiſſions or letters of mart,
" for the apprehending and taking, for his majeſty's ſervice,
" all ſhips and veſſels belonging to the cities and towns
" that have declared for the parliament; and on the other
" ſide, the rebels of Ireland grant the like commiſſions.
" And as the ſhips in his majeſty's ſervice do gratify the re-
" bels of Ireland, in ſeizing the ſhips that bring proviſion
" for the relief of the Engliſh army in Ireland; ſo the re-
" bels of Ireland do in like manner gratify his majeſty, by
" commanding the ſhips ſet forth by them to examine all
" Engliſh ſhips at ſea, whether they be for the king or par-
" liament; and if they be for the king, to let them go; but
" if for the parliament, to take and pillage them. All
" which is proved by depoſitions herewith annexed.

" The earl of Antrim, a notorious rebel, was taken by
" the Scots army in Ulſter, and impriſoned there, upon ſu-
" ſpicion of high-treaſon: to avoid his trial, he broke pri-
" ſon, and fled into the north-parts of England, and hath
" been with the queen at York a long time; from whence
" he was ſent to the rebels of Ulſter, with ſecret inſtruc-
" tions, and had ammunition aſſigned him by the queen's
" directions: and what care was taken of his ammunition
" appears by a letter here annexed, dated at York the 8th
" of May 1643, written by ſerjeant-major Roſſe, at the
" deſire of Mr. Jermin.

" Since this care taken of the ammunition of the earl of
" Antrim, the earl of Antrim is taken the ſecond time by
" general major Monroe, as he was returning from the
" queen, to the rebels of Ulſter, with divers letters, in-
" ſtructions, and papers: and by the confeſſion and depo-
" ſition of the earl of Antrim's own ſervant, who was taken
" with his maſter, and ſince condemned and executed, it
" is evident, that there was, and doubtleſs yet is, a deſign
" on foot to reconcile the Engliſh and Iriſh in Ireland;
" and that by their joint power having expelled the Scots,
" the Iriſh forces there might be ſent againſt the parliament
" of England. The earl of Antrim, the lord of Aboyn,
" and the earl of Niddiſdale, were three principal agents
" employed in this plot. This clearly appears, in that the
" lord of Aboyn, in a letter taken in the earl of Antrim's
" pockets, writes in theſe words:

My

1643. My Lord,

BEing certainly informed by Niddiſdale's ſervant, That there is a new order ſince we parted, for ſtopping of the ammunition, I have taken occaſion to intreat your lordſhip by this bearer, that I may know the particulars of it. I muſt confeſs it ſurprizeth me, that any diſtance ſhould alter ſo ſeaſonable a concluſion: and certainly, I ſhall never deſerve to be made the inſtrument of fruſtrating the hopes of thoſe parts, which ſhould have been enabled by this ſupply: I am perſuaded there is ſcarce another mean to make our fidelity uſeleſs for her majeſty's ſervice.

" And that it might appear to the rebels of Ireland, that " the earl of Antrim was accounted his majeſty's good ſub- " ject, and had his majeſty's approbation for what he was " to act there, he was furniſhed with a paſs from the earl " of Newcaſtle.

The paſs is here inſerted at length in the declaration. The reſt of the article tends to ſhew by the earl of Antrim's confeſſion, and that of Stuart one of his ſervants, that the earl was employed by the queen to make peace with the rebels.

" The houſe of commons, among a numerous company " of proofs of this kind, concluded with the teſtimony of " John Dod, late miniſter at Annegilliffe in the county of " Cavan, who was examined at the bar of the houſe of " commons, and teſtifieth,

' *That after he had ſuffered many miſeries in this rebellion of Ireland, he repaired into this kingdom, and ſome occaſions carrying him to Oxford, he ſtaid there ſeven weeks, and came out of Oxford the 13th of June 1643. That during his ſtay there, he ſaw a great number of Iriſh rebels, whom he very well knew to have had a hand in the moſt barbarous actions of that rebellion; as the daſhing of ſmall infants in pieces, the ripping up of women with child, and the like, among whom was one Thomas Brady, who, at Turbet in Ireland, within ſeven miles where the ſaid Dod lived; as thirty-ſix old men, women, and children, not able to flee, were paſſing over a bridge, cauſed them all to be thrown into the water, where they were all drowned; that this Brady is now at Oxford in great favour, and ſerjeant-major to colonel Percy's regiment: that he ſaw there three Franciſcan friers, namely;——and three jeſuits, namely;——who were all very earneſt for the cauſe, and daily encouraging the ſoldiers to fight againſt the round-heads, and for that purpoſe have liſted themſelves in the lord Dillon's troop, and are called cornets: that there are daily and publick meetings at maſs, in almoſt every ſtreet there; and verily believes in his conſcience, that for one ſermon preached, there are four maſſes ſaid now at Oxford:*

ford: that he saw Sir John Dungan there, a man accused of high-treason in Ireland, for being in rebellion, and fled into England, who hath a commission for a troop of horse: the lord Barnewall of Trimblestown, and his son, who hath a commission for a troop of horse, and is now gone into Wales to raise them: a son of the lord Newterfield, who hath gotten a command likewise: that, as near as he can possibly compute, there was then at Oxford above three thousand rebels; and that most of the king's life-guard are Irish.' 1643.

The two houses concluded in the following manner: "Upon the whole matter, no man can think, that this rebellion in Ireland, so barbarous and bloody, that one hundred and fifty-four thousand protestants, men, women, and children, English and Scotch, were massacred in that kingdom, between the 23d of October, when the rebellion broke forth, and the 1st of March following, by the computation of the priests themselves that were present, and were directed by some chief rebels of Ireland to take this computation, lest they should be reported to be more bloody than in truth there was cause: no man can believe, that this horrid and unparralleled rebellion should be the undertaking of the rebels alone, being set on foot when a parliament was sitting in England, that could not dissolve without its own consent, when all nations professing the Romish religion, were at peace with England, and so engaged at home, that the rebels, in reason, could not expect any considerable assistance from them, nor could think themselves able to encounter England or Scotland either, much less both together: so that to imagine the nobility, gentry, and in a manner the whole kingdom of Ireland, should thus desperately engage their lives and estates in so rash an enterprize, without being encouraged, incited, nay, commanded from England, with assurance both of connivance and assistance too, were to deny them to be reasonable creatures.

"And therefore the house of commons, abundantly satisfied in their own consciences and judgments of the truth thereof, cannot but declare to the world, that by all these concurring circumstances, and convincing proofs, they are persuaded, that this unheard-of, and monstrous rebellion of Ireland, was projected, incited, and assisted by those councils now only prevalent with his majesty: that the queen, with her Romish priests, the papists of all his majesty's three kingdoms, have been principal actors and sticklers herein: that, now those bloody rebels

"have

1643. "have in a manner rooted out the proteſtant religion in "Ireland, there is a deſign to pardon them, and bring them "into England to do the like: that no earthly power is "likely, in human reaſon, to withſtand this damnable "plot, but the power of the parliament in England, which "is now declared by a late proclamation, to be no free par-"liament, to be null, and of none effect; and all poſſible "endeavour uſed, by ſtrength and ſtratagem, to deſtroy the "ſame. So that the houſe of commons do conceive it im-"poſſible, that ſo many of thoſe which would be thought "the honeſt and moderate Engliſh proteſtants, ſhould any "longer be blinded and led on, to join with German, "French, Walloon, Engliſh, Scotch, and Iriſh papiſts; "and thereby to ſurrender up at once the Proteſtant reli-"gion, the parliament, liberties, and laws of England, "into the hands of papiſts and ſtrangers; that ſo this re-"nowned kingdom may be no more a nation."

As the charge againſt the king of exciting the Iriſh rebellion, or at leaſt of conniving at it, made a great noiſe in thoſe days, and as all the hiſtories are full of it, I thought it neceſſary to ſhow the grounds or pretences of it, by giving the ſubſtance of this declaration. For it is not likely, the parliament ſhould have omitted any thing capable of proving their aſſertion, though it be true, that the king afterwards took certain ſteps which could have very much ſwelled this manifeſto. I ſhould be glad, according to my uſual method, to give here the king's particular anſwer to theſe articles. But I have not been able to find any, or ſo much as to know, whether he ever returned an anſwer. Indeed he uſed his utmoſt endeavours to clear himſelf from the accuſation; but it was only by generals and proteſtations, without replying to any particular article, no not even in his *Eikon Baſiliké*, where he undertakes to vindicate his whole conduct.

I cannot therefore but obſerve, concerning this declaration, that there are ſome articles which ſeem very much aggravated: and others, from whence may be drawn conſequences not ſo odious as thoſe here inſinuated. But then it cannot be denied, that there are ſome, to which it were to be wiſhed, for the king's honour, he had returned diſtinct and particular anſwers.

The parliament's policy in accuſing the king.

It appears by this manifeſto, that the parliament had little regard for the king. But beſides the animoſity and revenge which might enter into the deſign of blackening his reputation, it is certain, policy had no ſmall ſhare in it.

The king, in all his publick papers, repreſented himſelf as being perfectly innocent of all that was laid to his charge, and as having undertaken the war only in defence of the laws and liberties of the nation. He deſcribed the two houſes as a company of robbers, who for their own private ends, had put the kingdom in a flame, refuſed the obedience due to him, and, without any cauſe, trampled upon all the known laws of the land. The gratifying the paſſion of revenge was not the king's ſole motive; there was another much more dangerous to the parliament; and that was, to draw the people of London to his ſide, by means of theſe papers (which his friends took care to diſperſe in the city) and thereby to force both houſes to conclude ſuch a peace as he deſired, that is, a peace which ſhould reſtore him to all his rights. If therefore the two houſes, out of reſpect to the king, had neglected to defend themſelves, their ſilence might have been very prejudicial to them, ſince people are apt to believe, if an accuſation be not anſwered, it is becauſe there is no good anſwer to be given. It was therefore the parliament's buſineſs to try, as far as poſſible, to inlighten the people, whom the king, as they pretended, had a mind to impoſe upon by general proteſtations, to which they laboured to ſhow his actions did not correſpond. This was the great end of the declaration, wherein they endeavoured to demonſtrate the king's inſincerity, in that, whilſt he called heaven and earth to witneſs, that he had no other intention than to maintain the proteſtant religion, 'without conniving at popery,' he was labouring to make a peace with the Iriſh rebels; a peace, which in the conjuncture of affairs could not be concluded, but by granting things inconſiſtent with the ſafety of the proteſtant religion. 1643.

On the other hand, as the king by his papers and emiſſaries in London, was continually endeavouring to convince the publick of the ſincerity of his zeal for religion, for the laws and the liberties of the people, without ever mentioning what paſſed the fifteen firſt years of his reign, the two houſes were concerned to renew the remembrance of thoſe times, leſt the occaſion of their fears and jealouſies ſhould in the end be forgot. And therefore they did two things very proper to produce this effect. The firſt was, to order king James's book for tolerating ſports on Sundays, which Charles I. had cauſed to be publiſhed again in the churches, to be burnt by the common hangman. This book being almoſt forgot, could not produce any great effects at the time

The parliament orders the book of ſports to be burnt. May 5. Ruſhworth, V. p. 317.

1643. I am ſpeaking of. But in all appearance, both houſes meant thereby to inſinuate to the people, what was to be expected from the king's great zeal for religion, in caſe he came to be reſtored to his former power. The ſecond was, to proceed to judgment againſt judge Berkley, whom the lords condemned in the exorbitant fine of twenty thouſand pounds, and to ſtand committed to the Tower till he ſhould be tried upon the other articles alledged againſt him. For this ſentence concerned only that part of his charge relating to his extrajudicial opinions in the caſe of ſhip-money. Berkley was one of the king's moſt zealous inſtruments to eſtabliſh an arbitrary power. Nevertheleſs, he had now lain three years in priſon, without being thought of. But this year the parliament believed it proper to bring him to judgment, as well to revive the memory of a time, the king was endeavouring to bury in oblivion, as to reap the benefit of his fine [1]. This laſt motive makes the lord Clarendon ſay, that the parliament, in appropriating the fine to themſelves, which by the laws was due to the king alone, were thought by many to be guilty of a greater crime than that for which Berkley was ſentenced. This ſuppoſes, that even when the king and parliament were making war upon one another, the parliament ſhould do the king juſtice, and ſend him the money ariſing from fines and confiſcations. But the two houſes were ſo far from allowing this maxim, that, on the contrary, the ſame month they paſſed an ordinance for ſeizing the king's, queen's, and prince's revenues, for the publick uſe [2], that is, to be employed in the war againſt the king. Four days after, the king on his part publiſhed a proclamation, forbidding all tenants or debtors to pay any rents or debts to ſuch perſons as were in open rebellion againſt him. But theſe orders, as well from the king as the parliament, were executed only in places where they were ſupported with power.

Judge Berkley's ſentence. Sept. 12. Ruſhworth, V. p. 361.

Clarendon, T. II. p. 290.

The king's, queen's, and prince's revenues ſeized. Sept. 21. Ruſhworth, V. p. 361.

Id. p. 362.

Moſt of the lords, who had withdrawn from the parliament and retired to the king, meeting with a very cold reception at Oxford, thought fit once more to change ſides, and return to London. The earl of Holland led the way [3].

Return of ſome of the lords who had retired to the king.

The earl of Holland. Ruſhworth, V. p. 367. Clarendon, T. II. p. 282.

He

[1] The half of his fine was abated, and upon payment of the other half, he had his liberty. Clarendon, Tom. II. p. 290.

[2] Or rather, as they word it, "for "the good of his majeſty, and the "commonwealth." See Ruſhworth, Tom. V. p. 362.

[3] The lord Clarendon ſays, he expected to be reſtored to his places of lord-chamberlain and privy-counſellor; of which he had aſſurance, before he came, from the queen; at leaſt, from Mr. Jermyn, who, no doubt exceeded his commiſſion. This diſappointment was the occaſion of his return. Clarendon, Tom. II. p. 279.

He was at firſt put under confinement, but ſome days after, had leave to live upon his own eſtate, without any employ. 1643.
Probably, he had expected a better reception, ſince after his return he publiſhed a declaration very injurious to the king, wherein he ſaid, that retiring to Oxford, in hopes by his credit to procure a peace, he had been labouring it to the utmoſt of his power, but (added he) without ſucceſs, the king and his council being entirely averſe to all accommodation, becauſe every thing at court was managed by the papiſts [1].
The earl of Northumberland, who was retired to Petworth, being informed how ill the earl of Holland was received at Oxford, thought proper to return to the parliament, where he was received with reſpect, both houſes being willing to ſuppoſe, he had never intended to leave them, though many ſuſpected he had withdrawn to his own eſtate, on purpoſe to ſee what reception the other lords would meet with at Oxford. The earls of Bedford and Clare took alſo the ſame courſe, and came off with being debarred for a time from ſitting in parliament [2]. Northumberland. Clarendon, T. II. p. 283. Bedford and Clare.

One of the principal tranſactions of the year 1643, was the reſolution of both houſes to make a new great-ſeal. It had been propoſed by the commons in July; but, whether through ſcruple, as ſome pretended, or becauſe the king's ſecret party were yet very numerous in the houſe of peers, the lords refuſed their conſent, or rather delayed their anſwer. But in the November following, their ſcruples vaniſhed. The commons repreſented to them in a conference, the miſchiefs occaſioned by the conveying away, and through the want, of the great-ſeal 3. The parliament orders a new great-ſeal. Ruſhworth, V. p. 339. Clarendon, T. II. p. 312. T. May.

I. It was ſecretly and unlawfully carried away by the lord-keeper Littleton, who ought not to have departed without leave of both houſes. Nor would have been ſuffered to do ſo, if his intentions had been diſcovered.

II.

[1] Whitelock ſays, the earl of Holland being examined by the parliament, ſaid, that "after he heard of the ceſſation in Ireland, his conſcience would "not give him leave to ſtay any longer "with him at Oxford." The young earl of Caernarvan came alſo from Oxford to the parliament, and was committed to the care of his grandfather the earl of Pembroke. Whitelock, p. 77. —The lord Clarendon obſerves, upon this occaſion, that the ill reception of theſe lords, made the king, and all about him, looked upon as implacable; and ſo diverted all men from any thoughts of returning to their duty, and chuſe rather to ſtay where they were, than expoſe themſelves by unſeaſonable and unwelcome addreſſes. Tom. II. p. 283.

[2] It was ſaid in drollery, that theſe three earls had much confirmed others to continue with the parliament, for they having tried both parties, found it by experience, that this was the beſt to be in, and adhere to. Whitelock, p. 71.

[3] The author having confounded theſe two reaſons for making a new great-ſeal, they are placed in order in the tranſlation.

1643. II. It hath been ſince taken away from him, and put into the hands of ill-affected perſons, ſo as the lord-keeper being ſent to by the parliament for the ſealing ſome writs, anſwered, *he could not ſeal the ſame, becauſe he had not the ſeal in his keeping.*

III. That thoſe who have had the managing thereof, have employed it to the hurt and deſtruction of the kingdom; as by making new ſheriffs, to be as ſo many commanders of forces againſt the parliament; by iſſuing out illegal commiſſions of array; by ſending forth proclamations againſt both houſes of parliament, proclaiming them traitors.

And through the want of the great-ſeal, 1. The terms have been adjourned, the courſe of juſtice obſtructed. 2. No original writs can be ſued for without going to Oxford, which none that holds with the parliament can do, without peril of life or liberty. 3. Proclamations in parliament cannot iſſue out for bringing in delinquents impeached of high-treaſon, or other crimes, under pain of forfeiting their eſtates. 4. No writs of error can be brought in parliament to reverſe erroneous judgments, nor writs of election iſſued out for chuſing new members upon death or removal of any, whereby the number of members is continually leſſening. 5. Every other court of juſtice has a peculiar ſeal, and the parliament, the ſupreme court, has no other ſeal but the great-ſeal, and ſo now no ſeal at all. 6. The great-ſeal is the *clavis regni*, and therefore ought to be reſident with the parliament (the repreſentative of the whole kingdom) whilſt it continues ſitting; the king, as well as the kingdom being always legally preſent in it during its ſeſſion.

Ruſhworth, V. p. 341. Clarendon, T. II. p. 312.

The next day the lords declared their conſent to the making a new great-ſeal. Accordingly a great-ſeal was made exactly like that in the king's hands [1], and, by an ordinance of both houſes, it was declared, that all letters patents, and grants which had paſſed under the great-ſeal ſince the 22d of May 1642 [2], were void and of no effect. That the new great-ſeal ſhould be of like force, power, and validity as any great-ſeal of England had ever been, and be put into the cuſtody of the perſons hereby ordained commiſſioners for that purpoſe, who ſhould have the ſame power and authority as any lord chancellor, or lord keeper had uſed to have. On the laſt of November, the new great-ſeal was carried by the ſpeaker of the commons, attended with the whole houſe,

[1] There was engraven on one ſide the picture of the houſe of commons, with the members ſitting; and on the other, the arms of England and Ireland. Whitelock, p. 70.

[2] The day the lord keeper Littleton left the houſe, and went with the ſeal to the king at York.

houſe, to the lords, and delivered to the lord Grey of Werk their ſpeaker, who in the preſence of both houſes gave it to the commiſſioners [1]. The firſt thing ſealed with it was a patent to the earl of Warwick, of lord high-admiral of England, the earl of Northumberland not being in that favour with both houſes as formerly. 1643. Clarendon, T. II. p. 313.

The king and his friends made a great noiſe upon this encroachment of the parliament, and urged the ſtatute of the 25th of Edward III, by which the counterfeiting the great-ſeal, is in expreſs terms declared to be high-treaſon. But it is eaſy to perceive, this ſtatute concerns only private perſons, and not both houſes of parliament, and that it was not poſſible, when the ſtatute was made, to foreſee the king and the parliament would be one day divided. Beſides, it cannot be ſaid, that private perſons have any right to diſpoſe of the great-ſeal. But it is not the ſame with both houſes of parliament, who are the repreſentatives of the nation. For the great-ſeal is not the king's ſeal in particular, but the kingdom's, and the kingdom is a body compoſed of the king, who is the head, and the people who are the members. If the king has the diſpoſal of the great-ſeal, it is only as he is the moſt noble of the members of this body, conſidered as being united with, and not as being ſeparated from, the other members [2]. If therefore ſuch a ſeparation happens, as was at the time I am ſpeaking of, it is hard to conceive, by what title the king or people, ſeparately, may claim the diſpoſal of the great-ſeal, which is the ſeal of their joint, not ſeparate, authority. In ſhort, I doubt, that they who moſt ſtrenuouſly affirm, that in ſuch a ſeparation, the king ought to have the ſole diſpoſal of the great-ſeal, are willing to admit all the conſequences flowing from that principle. The great-ſeal ſtamps an inviolable authority upon all the acts to which it is applied. If therefore, in caſe of an open war between king and parliament, the king could, by means of the great-ſeal, communicate ſuch an authority to

Remark on the great-ſeal. Id. p. 312.

[1] Two lords and four commoners, who thereupon took the oaths for the due execution of their places; the ſpeaker of the peers ſwearing the lords, and Mr. Brown, the clerk of the lords houſe, the four commoners. The ſeal was ordered to remain at the ſaid Mr. Brown's houſe, in an iron cheſt, with three different locks, and not to be removed thence, but in the preſence of three commiſſioners. The two lords were, firſt, the earls of Rutland and Bullingbrook, but the earl of Rutland alledging himſelf not qualified for ſuch a charge, the earl of Kent was nominated in his room. (Whitelock ſays, the lords were Mancheſter and Bullingbrook, p. 71.) The four commoners were, St. John's; Wilde, Brown, and Prideaux, all lawyers. Ruſhworth, Tom. V. p. 342.

[2] And as the executive power is lodged in his hands.

1643. to all his particular acts, where would be the bounds of his power, which by the conſtitution of the government, is limited by the laws? He would need only to declare by proclamation under the great-ſeal, as Charles had really done, that, according to the laws, the members of parliament are traitors and rebels, and then the point would be decided by the ſole poſſeſſion of the great-ſeal, and the king might aſſume an unlimited power by this authority. But how would the caſe be, if the parliament was in poſſeſſion of the great-ſeal, and by the like proclamation ſhould declare the king traitor and rebel; would the application of the ſeal give ſuch an act an inviolable authority?

It will doubtleſs be ſaid, that the great-ſeal gives an inviolable authority to ſuch acts only as are agreeable to the laws, and that the laws expreſly declare thoſe who take up arms againſt the king, guilty of high-treaſon. But it is manifeſt, the laws, as they neither could, nor ought to foreſee an actual ſeparation between the king and the people repreſented in parliament, have conſidered the king only as the head, inſeparably united with the body, and not as the head divided from the other members. Elſe it might be ſaid, the laws have aſcribed to the king an unlimited power, which is directly contrary to the conſtitution of the Engliſh government. Certainly the laws have conſidered the king but as head of the ſtate, and the crime of taking up arms againſt him relates, not more to his perſon in particular, than to the reſt of the ſtate. The parliament therefore ſeems to have had no leſs right to make new a great-ſeal, than the king would have had, if the common-ſeal had been in the hands of the parliament, ſince the ſeal was not the property of either, but belonged to both, conſidered as being inſeparably united together.

Count Harcourt's embaſſy. Clarendon, T. II. p. 306. Whitelock.

About this time, count Harcourt, a prince of the houſe of Lorrain, was ſent from France into England. He came directly to London, where he was received with great ceremony as ambaſſador extraordinary, though he had not preſented his credentials to the parliament. But it was ſuppoſed, he was not without them, and intended to addreſs himſelf firſt to the king. After ſome days ſtay in London, without any application to both houſes, he went to Oxford, where he had ſeveral conferences with the king. After that, he writ to the earl of Northumberland, that having propoſed to his majeſty from the king of France and the queen-regent, the making of a peace with his ſubjects, he found him wholly inclined to enter into negotiation, and

that

that if both houſes would inform him wherein conſiſted the differences between the king and them, he would gladly uſe his intereſt to adjuſt them. Both houſes thought it very ſtrange, that this prince ſhould offer his mediation, without producing his credentials. They told him therefore by the earl of Northumberland, that they received with all due reſpect, the offers of the king and queen-regent of France, and that as ſoon as he ſhould ſhow, he was authorized for ſuch a mediation, they would not fail to appoint a committee to treat with him. But he had no credentials for the two houſes, the queen-regent not judging proper to own them for a parliament, ſince the king of England refuſed them that title. So, this pretended mediation was not only fruitleſs, but was alſo a clear indication, that the French court had ſent this embaſſy only as an outward teſtimony of their concerning themſelves in the king's affairs, though, in all appearance, they did not much deſire to ſee an end put to the troubles of the kingdom [1]. 1643.

Sir Edward Deering, who had made himſelf ſo famous in the beginning of this parliament, by his zeal for his country, and by ſeveral noble ſpeeches upon grievances, was grown extremely averſe to the proceedings of both houſes, ſince he found, the aim of ſome of the leading-men was to eſtabliſh preſbyterianiſm in the church of England. For that cauſe, after the war was begun, he forſook the parliament, and turned to the king. But, in all appearance, he was no better pleaſed with the court than he had been with the parliament, ſince he followed at laſt the example of the lords abovementioned. He came to London in February 1643-4, and preſenting a petition to the houſe of commons, whereof he was member, he obtained leave to ſpend the reſidue of his days at his houſe near Canterbury, where he died within a few months [2]. Sir Edward Deering returns to the parliament. Feb. 2. Ruſhworth, V. p. 383. Ludlow.

Mr. Pym, one of the pillars of the parliament, and a chief director of the affairs of the houſe, died December the Pym's death. Ruſhworth, V. p. 376, Clarendon. T. II. p. 353.

[1] Whilſt count Harcourt was in England, he had two affronts put upon him, 1. He had not been landed four and twenty hours, before Walter Montague, one of his train, was apprehended and committed to the tower. This man was an agent of the king's in the court of France, and thought, by diſguiſing himſelf, to get a ſafe paſſage to Oxford, in the ambaſſador's retinue. 2. As count Harcourt was going from London to Oxford, his coach was ſearched for letters, though he had a ſafe-conduct. For both which indignities, he could get no redreſs. Clarendon, Tom. II. p. 307, 308.

[2] He died June 23, 1644. Beſides his former papers, he left behind him a learned diſcourſe (publiſhed about a week before his death) concerning the *proper ſacrifice*, wherein he ſolidly and eloquently confutes popiſh tranſubſtantiation. Ruſhworth, Tom. V. p. 384.

1643. the 8th, 1643. The king's adherents ſpeak of him as of a very wicked man, and thoſe on the ſide of the parliament repreſent him as the greateſt patriot then in England. Opinions ſo oppoſite about the ſame perſon are not uncommon. It is not ſtrange, that from oppoſite principles ſhould be drawn contrary conſequences. Thus much is certain, Mr. Pym's death was a very great loſs to the parliament, he being one of the moſt able members of the houſe [1].

The parliament hangs one of the king's meſſengers for a ſpy. Novem. 27. Ruſhworth, V. p. 369.

The commons, as was ſaid, impriſoned in May this year, 1643, a perſon ſent by the king with the offer of peace, and ſhortly after, he was diſcovered to be one of thoſe employed by the king, to keep a correſpondence in London. The king could not be ignorant, the commons had twice declared, they would treat as ſpies ſuch as ſhould come from the king's quarters to London, without a ſafe-conduct. Beſides that he had good correſpondents in London and the parliament, he had no occaſion to be informed of the particular reſolutions, to know it is not allowable for men without a ſafe-conduct, to come into the enemies quarters, ſince it is a maxim received, wherever a war is declared. But there was ſomething in the preſent caſe ſtill more particular. For, upon the houſe arreſting this meſſenger, his majeſty, by advice of his council, had deemed it inconſiſtent with his honour to hold any farther correſpondence with the parliament. Moreover, the 18th of October, both houſes had publiſhed an ordinance, declaring, any perſon coming to London from the king's quarters, ſhould be looked upon as a ſpy. And yet twelve days after, on the 30th of October, the king ſent privately to London, Daniel Kniveton, a ſtate-meſſenger, with three proclamations, one againſt *taking of the ſolemn league and covenant*; another, againſt *the obſervation of the monthly faſt*, enjoined by the parliament; a third for *removing the ſeals of the green-wax offices belonging to the Exchequer, King's-bench, and Common-pleas, to Oxford.* This man was taken up, and committed to priſon. Nevertheleſs, the 19th of November following, Carpenter,

Id. p. 367.

[1] The lord Clarendon will have it, that he died of the *morbus pediculoſus*, or *louſy diſtemper*, Tom. II. p. 353. And the ſame is affirmed in Mercurius Ruſticus. Whereas, Ruſhworth ſays, there was ſuch a report, but the ſame was not true; and for public ſatisfaction, his body was viewed by many hundreds of people; the true natural cauſe of his death ſeeming to be the great pains he took, joined with a competent old age, and at beſt, but an infirm conſtitution. Whitelock ſays the ſame thing, but makes him die in May, p. 69. Some time before his death, he cauſed to be printed a vindication of himſelf, which the reader may ſee in Ruſhworth, Tom. V. p. 376. He is ſaid to be beſt verſed in parliamentary affairs of any man then in England. See Ludlow, Tom. I. p. 80.

Carpenter, another meſſenger, was privately ſent by the king with an order to the judges to adjourn the term to Oxford [1]. Carpenter was alſo apprehended, and they were both tried and condemned to die. Kniveton was the leſs excuſable, as he had before been taken and detained at Windſor for the ſame reaſon, and diſcharged by the general. All the defence he made was, that being the king's ſworn meſſenger, he was obliged to obey him; that beſides, not taking London for a garriſon, he thought he might have come without drum, trumpet or paſs. But this defence not being capable of ſaving his life, he was executed. Carpenter, though under the ſame condemnation, was reprieved and committed to Bridewell [2]. The lord Clarendon ſpeaks of the ſentence paſſed upon theſe men as of a great injuſtice, for two reaſons; that they were obliged to obey the king, being his meſſengers; and that the parliament had not cauſed their ordinance to be notified to the king. I doubt, all will not be induced by theſe reaſons to condemn the proceedings of both houſes. The king at leaſt ſeems not to have blamed them, ſince he did not uſe repriſals, neither does it appear that he ever complained of it in form.

1643.

Ruſhworth, V. p. 370. Clarendon, T. II. p. 314.

In proportion as the war was continued, the animoſity between the king and the parliament was inflamed, who no longer regarded each other. The king refuſed to own the two houſes for parliament, and they omitted nothing, as appears in their declaration concerning the Iriſh rebellion, to blacken the king's reputation. Theſe proceedings were not confined to England, where they might be in ſome meaſure neceſſary, becauſe the point was to gain the people, but care was taken alſo to convey papers abroad, tending to vindicate one of the parties, and blacken the other. Both houſes being informed, or it may be ſuppoſing, that the king had emiſſaries abroad, who were uſing their utmoſt endeavours to repreſent the civil wars in England as a horrible rebellion againſt the ſovereign, ordered the aſſembly of divines then ſitting at Weſtminſter [3], to write letters to the churches

The aſſembly of divines writes to the churches abroad by order of parliament. Ruſhworth, V. p. 371.

[1] The king had publiſhed ſeveral proclamations for the adjournment of the term to Oxford, which had been fruitleſs, for want of the neceſſary legal form of having the writs read in court. So Carpenter was to deliver theſe writs of adjournment into the hands of either of the ſworn judges then remaining at Weſtminſter, who were Bacon in the King's-bench, Reeve in the Common-pleas, and Trevor in the Exchequer. Accordingly, he delivered the writs to Reeve and Trevor, who immediately cauſed him to be apprehended. Clarendon, Tom. II. p. 313.

[2] From whence he eſcaped ſome time after, and returned to Oxford. Idem. p. 314.

[3] Divers members of both houſes, to a great number, ſat in this aſſembly, and had the ſame liberty with the hundred and twenty divines, to debate and

1643. churches of Zealand, Holland, France, Switzerland, to warn them againſt the artifices of the king's agents, by giving them a clear relation of the affairs of England. They charged them to inſiſt chiefly upon the king's employing Iriſh rebels and other papiſts, to be governors, commanders, and ſoldiers; to lay before them the proofs of the intention of the king's counſellors to introduce popery, and hinder the reformation deſigned by the parliament: laſtly, to inform them of the diſadvantageous opinion of the king's party concerning the proteſtant churches abroad, becauſe not governed by biſhops. The aſſembly failed not to ſend to theſe churches a circular letter, which was properly a manifeſto for the parliament againſt the king, with copies of the ſolemn league and covenant, and of the declaration of England and Scotland on that ſubject.

The king's manifeſto touching religion. May 14. Ruſhworth, V, p. 752.

Some time after, the king on his part publiſhed a manifeſto, addreſſed to all the proteſtant churches, to efface the impreſſions which the parliament's circular letter might have cauſed. This manifeſto, which was very ſhort, contained only a proteſtation that he had never intended to conſent to the public exerciſe of the catholic religion in his dominions, but was firmly reſolved to adhere, to his laſt breath, to the church of England, wherein he was born, baptized, and educated; and to the liturgy of that church, approved by ſo many convocations and parliaments, by all the proteſtant churches, and the ſynod of Dort.

The king troubled how to find money.

Mean while, the king was very much perplexed how to maintain the war the enſuing campaign, knowing the parliament were preparing to exert themſelves powerfully. He had been openly charged, before this parliament, with arbitrarily exacting money of his ſubjects, without conſent of parliament. He had himſelf owned, he had exceeded his power, ſince he had not only redreſſed that grievance, but alſo proteſted ſeveral times, he had redreſſed it freely and willingly. Since the war was begun, he had never ceaſed to accuſe both houſes of the ſame arbitrary actions, which he

and give their votes in any matter. Selden, who was a member, ſpoke admirably (ſays Whitelock, who was alſo a member, p. 71,) in theſe debates, and ſometimes, when the divines had cited a text to prove their aſſertion, he would tell them, *Perhaps in your little pocket bibles, with gilt leaves* (which they would often pull out and read) *the tranſlation may be thus, but the Greek and Hebrew ſignifies thus and thus*, and ſo confuting them in their own learning. Not but there were many famous divines among them, as Twiſſe their Prolocutor, Edward Reynolds, afterwards biſhop of Norwich, Arrowſmith, Lightfoot, Gataker, &c. Their firſt meeting, purſuant to the ordinance of both houſes, was the 1ſt of July 1643, in Henry VII's chapel. Ruſhworth, Tom. V. p. 339.

he himſelf had been ſo often upbraided with, in that they 1643.
impoſed taxes upon the ſubjects without their conſent, directly contrary to the known laws whereon he perpetually inſiſted. By demonſtrating that both houſes violated the laws, he pretended to gain the people to his ſide. Mean while, money was neceſſarily to be raiſed, not only to maintain the forces already on foot, but alſo to levy others, in order to reſiſt the Scots, who were upon the point of entring England. If, for the maintenance of theſe forces, he had impoſed taxes by his ſole authority, he could not have reproached both houſes for the ſame thing, and perhaps would have diſobliged his own party by acting againſt the laws. Money, however, was to be found at any rate, otherwiſe he would not be able to continue the war. Hitherto he had uſed ſeveral ways to raiſe money, without giving any advantage againſt him, whether by ſelling or mortgaging the crown-lands, or by the voluntary contributions of his well-wiſhers. But the means he had already uſed were too uncertain to be ſafely relied on. He ſought therefore and found an expedient to free himſelf from this ſtrait. He aſſembled at Oxford all the members that, according to him, had been driven from the parliament; pretending, theſe members were the true parliament, and the more, as he had publickly declared, he no longer looked upon both houſes at Weſtminſter as ſuch. He did not expect this new parliament would increaſe the number of his friends; but he could reaſonably hope it would grant him an aid of money, and that being authoriſed by ſuch an act, he might openly and by way of authority levy what money was neceſſary. This happened accordingly, and was properly the king's aim in calling this parliament, which met at Oxford the 22d of January 1643-4 [1].

Clarendon, T. II. p. 337.

Ruſhworth, V. p. 559.

[1] The ſame day the parliament at Weſtminſter called the houſes, and there appeared two hundred and eighty of their members, beſides a hundred more in the ſervice of the parliament, in the ſeveral counties; and now they expelled by vote forty members, who had deſerted the parliament. Whitelock, p. 80. In the houſe of peers, remained only the earls of Northumberland, Pembroke, Eſſex, Kent, Lincoln, Rutland, Saliſbury, Suffolk, Warwick, Mancheſter, Mulgrave, Denbigh, Stamford, Bullingbrooke. The lords Say, Dacres, Wharton, Grey of Werk, Willoughby of Parham, Howard of Eſcrick, Rochfort, and Roberts. Clarendon, Tom. II. p. 340.——The lords at Oxford, in a letter (ſubſcribed by fifty two of them,) ſay, There were not above twenty five peers at Weſtminſter; and the earls of Arundel and Thanet, the lords Stafford, Stanhope, Coventry, Goring, and Craven, were beyond the ſeas; and the earls of Cheſterfield, Weſtmoreland, and the lord Montague of Boughton, under reſtraint at London. They add, the houſe of peers conſiſted in all of above an hundred, beſides miniſters and recuſant lords. Ruſhworth, Tom. V. p. 561.

1643-4. As it was not proper the king ſhould immediately diſcover his ſole end in calling this extraordinary parliament, he only told them in his firſt ſpeech, that he had aſſembled them to receive their advice, and conſult with them how to appeaſe the troubles of the kingdom.

Parliament at Oxford. Id. p. 560.

This parliament propoſes peace. Id. p. 566. Clarendon, T. II. p. 338.

The firſt ſtep taken by this parliament, was to try to convince the public of their intention to labour for peace. I have already explained the conſtant ambiguity of the word peace, and the different ſenſes given it by the two parties, and therefore think it needleſs to repeat it. There is no queſtion, the king heartily wiſhed for a peace, but it was on condition it ſhould be made after his manner, and in his ſenſe of the word, elſe he was very averſe to it. To be convinced of what I advance, a man needs only conſider what the lord Clarendon ſays, ſpeaking of the motion made in the council to ſummon the Oxford parliament, which the king ſcrupled a little. '*The king was at firſt in ſome apprehenſion, ſays that illuſtrious hiſtorian, that ſuch a conflux of perſons together of the parliament, who would look to enjoy the privileges of it in their debates, might, inſtead of doing him ſervice, do many things contrary to it, and exceedingly apprehended, that they would immediately enter upon ſome treaty of peace, which would have no effect; yet whilſt it was in ſuſpenſe, would hinder his preparation for war, and though no body more deſired peace, yet he had no mind that a multitude ſhould be conſulted upon the conditions of it: imagining, that things of the greateſt importance; as the giving up perſons, and other particulars of honour, would not ſeem to them of moment enough to continue a war in the kingdom.*' Hence appears what ſort of peace was deſired by the king. It was not ſuch a peace as the Oxford parliament might think reaſonable, but a peace whereby he ſhould not be obliged to make any conceſſions.

Id. p. 318.

Clarendon, T. II. p. 318. But his council quickly freed him from theſe apprehenſions, by the ſame method uſed on the like occaſion in the beginning of the war. It was intimated to him, that there was no probability, the two houſes at Weſtminſter would ever treat with the members that ſhould meet at Oxford, becauſe they would not look upon them under any notion, but as private perſons and deſerters of the parliament. Whereupon the king's ſcruples vaniſhed. As the Oxford parliament was intirely directed by the king, and as his majeſty agreed to the propoſing a peace to thoſe at Weſtminſter, it may eaſily be gueſſed, that in ſo doing, his intention was not to conclude it, unleſs both houſes at Weſtminſter would have ſubmitted to his terms. But the two

houſes at Oxford had another view in this proceeding, namely, to lay a ſnare for the parliament at Weſtminſter, and ingage them, if poſſible, to treat with them, which would have been owning them for a parliament. However, they expected to reap ſome advantage from their refuſal. 1643-4.

To this end, a letter was ſent to the earl of Eſſex, ſigned by the prince of Wales, the duke of York, forty three lords, and a hundred and eighteen members of the houſe of commons. In this letter it was ſaid, "That his majeſty having "ſummoned them to attend him at Oxford, they were "aſſembled in obedience to his commands: that his majeſty "was pleaſed to invite them in the proclamation of ſummons, by graciouſly ſaying, *His ſubjects ſhould ſee how willing he was, as far as in him lay, to reſtore the peace of the kingdom:* that this invitation had not only been made good to them, but ſeconded by ſuch unqueſtionable demonſtrations of his majeſty's deep ſenſe of the miſeries and calamities of his poor ſubjects in this unnatural war, and of his moſt entire and paſſionate affections to redeem them from that ſad and deplorable condition, by all ways poſſible conſiſtent with his honour, or the future ſafety of the kingdom: *That as it were impiety to queſtion the ſincerity of them, ſo it were great want of duty and faithfulneſs in us, (his majeſty having vouchſafed to declare that he did call us, to be witneſſes of his actions and privy to his intentions) ſhould we not ſatisfy and witneſs to all the world the aſſurance we have of the piety and ſincerity of both.*" Adding—That being ſatisfied of this truth, they had yet hopes to be the happy inſtruments of their country's redemption from the miſeries of war, and reſtitution to the bleſſings of peace; and were deſirous to believe, that his lordſhip, howſoever engaged, would co-operate with them in the bleſſed work, by truly repreſenting to, and induſtriouſly promoting with, *thoſe by whom he was truſted* [1], their moſt earneſt deſire, That ſome perſons be appointed on either part, to treat of ſuch a peace as may yet redeem their country from the brink of deſtruction." A letter from the parliament at Oxford to the earl of Eſſex. Ruſhworth, V. p. 556. Clarendon, T. II. p. 339.

The earl of Eſſex returned this ſhort anſwer, "That the letter he had received, not being addreſſed to the two houſes of parliament, nor any acknowledgment of them being therein, he could not communicate it to them: that the maintenance of the parliament of England, and the privileges thereof, was that for which himſelf and his whole party were reſolved to ſpend their blood, as being "the The earl of Eſſex's anſwer, January 30. Ruſhworth, V. p. 567. Clarendon, II. p. 340.

[1] Not calling or allowing them to be the parliament.

1643-4. "the foundation whereon all the laws and liberties of the nation were built [1]."

Though the earl of Eſſex ſaid, he could not communicate the letter to the parliament, it was known however that his anſwer had been concerted with a committee of both houſes, called the committee of ſtate. Wherefore the king, knowing the intention of both houſes, believed he ſhould run no great hazard by ſending them a meſſage in a letter to the earl of Eſſex, directed to *the lords and commons of parliament aſſembled at Weſtminſter*. This meſſage contained the uſual offers to treat of a peace, and appoint commiſſioners, if they would do the like on their part. The king added, he took this ſtep by the advice of *the lords and commons of parliament aſſembled at Oxford*. Both houſes eaſily perceived, the king was laying a ſnare for them, by putting them under a neceſſity, either of accepting his offer, in which caſe they ſhould indirectly own the lords and commons aſſembled at Oxford for a parliament, or of rejecting it, and ſo furniſhing him with a reaſon to upbraid them for refuſing to labour for a peace. But they little regarded this artifice, and for anſwer declared, they would never own the members who had deſerted both houſes for a parliament.

The king's meſſage to both houſes at Weſtminſter. Ruſhworth, V. p. 569. Clarendon, II. p. 344.

Declaration of both houſes to the king. Ruſhworth, V. p. 570. Clarendon, II. p. 345.

"And hereupon, added they, we think ourſelves bound to "let your majeſty know, that ſeeing the continuance of "this parliament is ſettled by a law, (which, as other laws "of your kingdoms, your majeſty hath ſworn to maintain, "as we are ſworn to our allegiance to your majeſty, theſe "obligations being reciprocal) we muſt in duty, and accordingly are reſolved, with our lives and fortunes, to "defend and preſerve the juſt rights and full power of this "parliament; and do beſeech your majeſty to be aſſured, "that your majeſty's royal and hearty concurrence with us "herein, will be the moſt effectual and ready means of "procuring a firm and laſting peace in all your majeſty's "dominions, and of begetting a perfect underſtanding, between your majeſty and your people, without which your "majeſty's moſt earneſt profeſſions, and our moſt real intentions concerning the ſame muſt neceſſarily be fruſtrated."

I have before ſhown, with what thoughts the king propoſed a peace to both houſes at Weſtminſter, namely, that this general offer would not be accepted, as was eaſy to foreſee. Upon this refuſal it was that both houſes at Oxford exulted,

[1] This letter was directed to the earl of Forth the king's general. With this letter he ſent a copy of the covenant, and the declaration of both kingdoms. Ruſhworth, Tom. V. p. 567.

exulted, as if the bare propoſal of a peace had been a clear 1643-4.
and evident demonſtration of their ſincere deſire to make
a reaſonable peace. They publiſhed upon this occaſion a The Oxford parliament's declaration on a peace. Ruſhworth, V. p. 566, 582. Clarendon, II. p. 347.
long declaration, ſo like thoſe publiſhed by the king on the
ſame occaſion, that it was not difficult to perceive it flowed
from the ſame fountain. They publiſhed alſo, ſome time
after, another pretending to ſhow, that the members aſſem-
bled at Oxford had been forced from the parliament by the
threats and outrages of the leading-men. In this declara-
tion were repeated all the outrages and artifices uſed by the
chief of the party, to intimidate ſuch as would not conform
to their ſentiments, and this, it was pretended, was the ſole
reaſon of their being obliged to retire. This was really the
king's ſcheme, but it may be ſaid to be ill grounded. For
the members who had deſerted the parliament, had not, for
the moſt part, abſented themſelves, till long after theſe pre-
tended outrages, ſome by the king's own expreſs order,
others for fear of being puniſhed for endeavouring to raiſe
commotions againſt the parliament. But care was taken
not to mention this in the declaration. After all, ſuppoſing
ſome had withdrawn themſelves purely out of fear, it is cer-
tain, their number came far ſhort of thoſe who retired with
the ſole view of ſerving the king. However, they were all
confounded in the ſame claſs, as having been expreſsly driven
from the parliament.

Some time after, both houſes at Weſtminſter publiſhed The Weſt-minſter parliament's upon the ſame account. Ruſhworth, V. p. 576.
alſo a manifeſto, wherein they pretended to ſhow, that
under the ſpecious colour of propoſing peace, a ſnare was
laid to engage them tacitly to own that they were not the
parliament, but that the true parliament was aſſembled at
Oxford. They drew their proofs from ſeveral letters written
from Oxford to the earl of Eſſex, from the expreſſions in the
king's late meſſage, but eſpecially from an intercepted letter
from the lord Digby, where he ſaid: "A point which his Dec. 27. Id. p. 580.
"majeſty may not ſuffer them to gain, without ſubverting
"the grounds and maxims of all his late proceedings againſt
"them, and that which he now goes upon by the advice
"of all his nobility here, as you will perceive by this in-
"cloſed proclamation [1], upon the effects whereof all the
"eyes of the kingdom are fixed. God ſend them to be as
"good actuated, as they are in ſpeculation, for I am con-
"fident, that in reaſon it carries probability of the ſureſt
"and readieſt way to a re-eſtabliſhment of his majeſty in
"his

[1] The proclamation to ſummon the members to meet at Oxford. Rapin.

1643-4. "his juſt rights and powers, of any courſe that hath been "yet attempted."

Votes at Oxford againſt the Scots. Jan. 26. Ib. p. 564.

The day before the two houſes at Oxford writ to the earl of Eſſex, to propoſe a peace, they voted, That the Scots having entered the kingdom in an hoſtile manner, had thereby denounced war againſt England, and that all the Engliſh who ſhould aſſiſt them, ſhould be deemed as traitors and enemies to the ſtate.

P. 565.

March the 12th, the ſame houſes at Oxford voted, "That "the lords and commons now remaining at Weſtminſter, "are guilty of high-treaſon, for raiſing of forces under the "command of the earl of Eſſex, for conſenting, and being "aſſiſting to the preſent coming in of the Scots into Eng-"land, and for counterfeiting the great-ſeal." But as votes did no hurt to the parliament at Weſtminſter, ſo neither were they of much advantage to the king. He found a more real benefit from them, with regard to the affair for which the Oxford parliament was ſummoned, I mean, the aid of money he expected for the ſupport of the war.

Means to procure the king money. Clarendon, II. p. 346.

This parliament was however greatly embarraſſed, how to give the king an effectual aſſiſtance, for that was the principal affair. If, as the only and true parliament, they had laid a general tax, the king would have run the hazard of meeting great oppoſition in levying the money, all the inhabitants of the counties on his ſide, not being ſatisfied that ſuch a parliament had a lawful authority. In that caſe, he would have been obliged to uſe force to compel thoſe that ſhould refuſe to pay, which did not ſuit with his preſent circumſtances. Another method was therefore taken, which doubtleſs was ſuggeſted by the court. This was, to adviſe the king to borrow one hundred thouſand pounds of the richeſt men of his party. To that purpoſe, the commons went into their reſpective counties, to take the number of thoſe who were reckoned monied-men, and make a liſt, wherein were ſet down the quality and ability of each. The commons being returned to Oxford with their liſts, the taxes were proportioned; after which, the king writ circular letters to every particular perſon, to borrow of one, a hundred pounds, of another, two hundred, promiſing to repay the ſame as ſoon as he was able, and not forgetting to ſay in theſe letters, that this loan was by advice of his parliament [a]. Thus, though this parliament did not think themſelves ſufficiently

Rushworth, V. p. 580.

[a] Theſe letters were ſubſcribed thus: *By the advice of the members of both houſes aſſembled at Oxford*, EDWARD LITTLETON, SAMUEL EURE, Speakers.

ciently authoriſed to impoſe a general tax, the particular perſons who were rated, were no leſs obliged to furniſh what was laid on them, ſince theſe loans were made with the advice of both houſes. The king would have found leſs advantage in a general tax, for it was much eaſier to raiſe a hundred thouſand pounds upon particular rich men, than upon the whole nation. Now the point was to procure the king, certainly and ſpeedily, the money he wanted. Accordingly it was ſeen ſhortly after, that this was the ſole motive of chuſing that method; for the Oxford parliament hearing, that both houſes at Weſtminſter had laid a duty upon wine, beer, ale, and other commodities, which they called an *exciſe*, a word before unheard of in England [1], made no ſcruple to injoin the like in the counties where the king's authority was acknowledged. 1643-4. Clarendon, II. p. 347. Ruſhworth, V. p. 601. T. May.

From that time, nothing remarkable paſſed in this parliament, which ſitting till the 16th of April, was prorogued to October, and never met again. It ſerved only to procure the king money, for which it was ſolely deſigned, and to exhibit a ſpectacle never before ſeen in England, namely, two parliaments at once, holding their ſeſſions at the ſame time. The parliament at Oxford is prorogued. Ruſhworth, V. p. 601.

Three days before the opening of this parliament, the Scotiſh army entered England, notwithſtanding the ſeaſon, which it ſeemed ſhould have hindered their march [2]. The marquis of Newcaſtle who commanded in the North for the king, hearing that the bad weather prevented not this army's advancing towards the borders, began to march alſo with his troops, and came to Newcaſtle the 2d of February [3]. The Scotch army approaching the town, the general ordered it to be ſummoned; but the ſummons had no effect. He ſtayed in thoſe parts all the reſt of February, waiting for The Scotch army enter England. Jan. 19. Ruſhworth, V. p. 603. Feb. 3. Ib. p. 613.

[1] The parliament's ordinance for the exciſe, bears date July 22, 1643. It was laid upon liquors, grocery-wares, ſilks, linens, cloths, furs, and almoſt all other ſort of commodities, imported. That the reader may have a notion of it, it will be proper to mention ſome of the particulars. Every pound of tobacco, not of the Engliſh plantation, was to pay, over and above all cuſtoms, 4s. and that of Engliſh plantation, 2s. Every tun of wine retailed, 6l. and for private uſe, 3l. Malaga raiſins, one farthing per pound. Currants, 1d. Loaf-ſugar, 4d. per pound. Cloth of gold and ſilver 8s. and tiſſue 10s. a yard. Damaſk table-linen, 1s. a yard, &c. It is ſomewhat ſtrange, that Ruſhworth has not inſerted this curious ordinance in his collections.

[2] This army conſiſted of eighteen thouſand foot, three thouſand horſe, and between five and ſix hundred dragoons. Alexander Leſley, earl of Leven, was general; John Baily, lieutenant-general of the foot; and David Leſley, major-general of the horſe. Ruſhworth, Tom. V. p. 603, 604.

[3] The day before the approach of the Scots. Idem. p. 613.

1643-4. for his artillery, which was coming by ſea. The 28th of the ſame month, he paſſed the Tyne at ſome diſtance from
p. 614. Newcaſtle [1], having left on the north-ſide of the town, ſix regiments of foot and ſome horſe, to keep the garriſon in
p. 615. awe. The marquis being too weak to venture a battle, contented himſelf with harraſſing the Scots by frequent ſkirmiſhes, in order to retard their march; but at laſt he thought proper to retire to Durham, where the Scotch general followed him, though with great inconveniency, as he wanted forrage for his horſe.

The lord Fairfax defeats colonel Bellaſis at Selby. April 11. Ruſhworth, V. p. 618. Clarendon, II. p. 348.

When the marquis of Newcaſtle marched out of York to oppoſe the Scots, he left the command of the city with a good body of troops to colonel John Bellaſis [2]. As ſoon as the lord Fairfax was informed, that the marquis had taken the northern rout, he reſolved to march towards York, and to that end, ordered his ſon Sir Thomas Fairfax to meet him at a certain place, with the party he commanded, that they might act in conjunction. But Bellaſis having notice of this deſign, departed from York with moſt of the garriſon to hinder their junction, and poſted himſelf at Selby. A few days after, the lord Fairfax, having taken a great circuit, to deceive the vigilance of the enemy, and joining his ſon, ſuddenly attacked Selby with about four thouſand men, where Bellaſis lay with fifteen hundred horſe, and eighteen hundred foot, forced the town, took the colonel priſoner, with ſixteen hundred of his men, and killed a great number.

The marquis of Newcaſtle returns to York. Ruſhworth, V. p. 619.

The marquis of Newcaſtle heard this ſad news at Durham, the Scots being then within two miles of the place. He immediately feared, that the lord Fairfax, after his victory, would attack York, or at leaſt, march directly towards Durham, to put him between the two armies. For this reaſon, he ſuddenly reſolved to retire to York, as well to ſecure himſelf as that city, which otherwiſe would have been in great danger.

1644. p. 620. Ludlow. T. I. p. 173.

It ſoon appeared, that the marquis had taken this reſolution very ſeaſonably, for, the 20th of April, that is, nine days after the Selby-fight [3], the lord Fairfax joined the Scots at Tadcaſter, whence the two generals reſolved to go and beſiege York. But as that city was too large to be inveſted on all ſides by the two armies, particularly towards the river, over which the marquis had made a bridge

[1] At the three ſeveral fords of Ovingham, Bydwell, and Altringham. Idem, p. 614.

[2] Son to the lord Falconbridge.

[3] Rapin is miſtaken here in the time, but the error is corrected in the tranſlation. Ruſhworth, Tom. V. p. 618, 620.

of boats [1], they desired the earl of Manchester, general of the forces of the eastern associated counties, to advance to this siege. Till the arrival of the earl of Manchester, the two generals held the city blocked up to the southward of the river Ouse. I shall interrupt for a moment, the account of the siege of York, to speak of the ill success of the parliament's arms at Newark. 1644.

Whilst the marquis of Newcastle was in the North observing the Scotch army, the lord Willoughby of Parham, and Sir John Meldrum, with above five thousand men of the parliament-forces, besieged Newark, a considerable town in Nottinghamshire, where the king had placed a garrison. As soon as the king knew it, he sent orders to prince Rupert to endeavour to relieve the place. The prince being then at Chester, put himself immediately upon the march, and being joined by other troops, made a body of seven thousand men, with which he advanced towards Newark. Meldrum, who commanded alone at the siege, the lord Willoughby being gone elsewhere, resolved to fight the prince, and to that purpose drew up his forces at a little distance from the town. The 21st of March there was a sharp conflict, particularly at a bridge, by which Meldrum had resolved to retreat in case of need. The bridge was vigorously attacked, and as bravely defended. Mean while, after the fight was over, Meldrum, finding himself too weak to renew it the next day, resolved to retreat over the bridge in the night. But he found the guard he had left there had deserted, and the bridge in the possession of the enemies [2]. So, not being able to retreat, and perceiving himself surrounded with the king's forces, Meldrum sent a trumpet to the prince for a parley. It was agreed, that the foot should march away with their swords, colours, and drums; all the officers with their arms, horses, and baggage; and the troopers and dragoons, with their swords, horses, and colours. But he was forced

Meldrum is defeated at Newark by prince Rupert. March 22. Rushworth, V. p. 307. Clarendon, II. p. 356. Common's war.

[1] The case was this: The marquis having a great strength of horse, and the advantage of a bridge over the river, could easily transport them to either side in a short time: so that if the besiegers divided their forces, the river being betwixt them, he might fall on the weaker, and the rest would not be able to relieve them. The river Ouse runs north and south quite through the city, divided into two parts, which are joined by a stone-bride. Idem. p. 620.

[2] Rapin has confounded here two bridges. The bridge that was attacked was a bridge of boats, over which Meldrum's horse were drawn by his order into the island. This bridge prince Rupert endeavoured to recover, but was repulsed. The other was Muscome-bridge, over which he designed to retreat, but the guard deserting broke it down. Idem. p. 307.

1644. forced to deliver all his ordnance and ammunition with about three thouſand muſkets.

Other exploits of prince Rupert. Ruſhworth, V. p. 617, 623. Dugdale's Baron. T. II. May 25.

The prince, after this expedition, which gained him great honour, returned into Shropſhire, and from thence into Lancaſhire, to relieve the counteſs of Derby, who for the ſpace of eighteen weeks was beſieged in Latham-houſe, and made a gallant defence againſt a body of two thouſand men [1]. In his way to Latham, the prince took by ſtorm Stopworth, a ſmall town in Cheſhire. Whilſt he was advancing towards Latham, the beſiegers raiſed the ſiege, and part of them under the command of colonel Rigby, went and reinforced the garriſon of Bolton in Lancaſhire, which was in great danger. The prince purſued them, and without giving them time to come to themſelves, took the town by ſtorm [2].

May 28.

June 11. Ruſhworth, V. p. 624.

After that, he attacked Liverpool, a ſea-port town on the edge of Cheſhire, where thoſe who paſs into Ireland generally imbark. The governor, colonel More, after ſome reſiſtance, conveyed on-board the ſhips in the Pool moſt part of his ſoldiers [3], and the richeſt goods in the town, and then the prince entered with little oppoſition. Here he received a letter from the king, ordering him to march with all ſpeed to the relief of York, which was now beſieged. The king ſaid to him in this letter, '*That his affairs were in ſo very ill a ſtate, that it would not be enough, though his highneſs raiſed the ſiege of York, if he had not likewiſe beaten the Scotch army*;' which words induced the prince to fight a battle that proved very fatal to the king.

He is ordered by the king to relieve York. Clarendon, II. p. 390, 396.

Exploits of the earl of Mancheſter. Ruſhworth, V. p. 621.

I left York blocked up by the Engliſh and Scotch armies, commanded by the lord Fairfax and the earl of Leven, till the earl of Mancheſter ſhould join them. The earl of Mancheſter was general of the ſeven eaſtern aſſociated counties, who had raiſed an army of fourteen thouſand horſe, foot, and dragoons. With this army the earl of Mancheſter had already done the parliament great ſervice. In the laſt campaign he had taken the town of Lynn, and in the beginning of this, had poſſeſſed himſelf of Lincoln. As ſeveral of the leading members of parliament thought of putting him in the

Id. p. 283, 620.

[1] In a ſally, May 6, the beſieged ſlew near three hundred of the beſiegers. Mercur. Ruſtic.

[2] Ruſhworth ſays, the prince's ſoldiers (conſiſting of ten thouſand, or upwards) ruſhed into the town, and put great numbers to the ſword, (twelve hundred, by their own confeſſion) deſtroying for ſome miles round, and ſpoiling all they met, denying quarters, (as the townſmen alledged afterwards) and uſed other violences, beſides totally plundering the town, and ſlaying four miniſters. Colonel Rigby eſcaped to Bradford. Ruſhworth, tom. 5. p. 623.

[3] With his beſt ordnance, arms, and ammunition. Idem, p. 624.

the earl of Eſſex's place, occaſion was taken from the ſervices he had performed, to make a conſtant proviſion for his army. To that end, by an ordinance of both houſes, May the 15th, 1644, each of the ſeven aſſociated counties were charged and rated at a weekly ſum for the maintenance of his army [1]; after which, he received orders to join the two other armies, to beſiege York together. The parliament had alſo taken care for the ſubſiſtence of the earl of Eſſex's [2] and Sir William Waller's armies; ſo that in May they had five armies on foot, beſides the troops diſperſed in ſeveral counties, and in garriſon. 1644. p. 621. The parliament has five armies. Ruſhworth, V. p. 653.

Before the marquis of Newcaſtle was blocked up in York, he had ſent general Goring with four thouſand horſe, to ravage the parts in ſubjection to the parliament. Wherefore, the earl of Mancheſter detached likewiſe three thouſand horſe, which were joined by two thouſand, ſent from the Scots before York, to wait the motions of Goring. The earl of Mancheſter therefore joined the two armies only with his foot, and ſome few horſe [3], and preſently after the junction, the ſiege of York was begun. The marquis of Newcaſtle had ſent the king word, that he hoped to hold out ſix weeks or two months, and beſought him to think in the mean time how to relieve him. To retard, as much as poſſible, the progreſs of the ſiege, he made overtures for a treaty, but on ſuch conditions as he knew would not be granted. Nevertheleſs he gained ſeven or eight days by this artifice, ſo that the ceſſation he had obtained, did not expire till the 15th of June. On the 24th he ſallied out, and furiouſly attacked the earl of Mancheſter, but after a ſharp conflict, was repulſed with loſs. The earl of Manchester joins Fairfax and the Scots. Clarendon, II. p. 396. Ludlow. Siege of York. June 3. The marquis amuſes the beſiegers. Ruſhworth, V. p. 624, 625, &c. Clarendon, II. p. 369. p. 631.

On Sunday the 30th of June, the beſiegers had certain notice, that prince Rupert was advancing at the head of an army, of near twenty thouſand men, which had greatly increaſed Prince Rupert approaches York. Ruſhworth, V. p. 631. Clarendon, II. p. 388.

[1] On Eſſex, the weekly ſum of 1687*l.* 10*s.* on Suffolk, 1875*l.* on Norfolk, and the city of Norwich, 1875*l.* on Hertfordſhire, 675*l.* on Cambridgeſhire, 562*l.* 10*s.* on Huntingtonſhire, 330*l.* on Lincolnſhire, 1218*l.* 15*s.* on the Iſle of Ely, 221*l.* 5*s.* Rapin, by miſtake, calls it a monthly ſum. Idem. p. 621.

[2] His army, by ordinance, was to conſiſt of ſeven regiments of foot, each of a thouſand ſoldiers, divided into eight companies; and the general's own regiment of fifteen hundred, divided into twelve companies; and of ſix regiments of horſe, each of five hundred and fifty troopers, divided into ſix troops. Whitel. p. 85. Ruſhworth, tom. 5. p. 653. The maintaining of this army coſt, in the year 1644, above a million of money; and the charge of the navy had been, 240,000*l.* the year paſt. Dugdale's View, p. 123.

[3] With about ſix hundred foot, ſix hundred horſe, and twelve field-pieces. Ruſhworth, tom. 5. p. 622.

1644. creaſed in their march, as well by the troops drawn from ſeveral garriſons, as by Goring's horſe, who had joined them, ſo that the army was not inferor to the three armies employed in the ſiege. The three generals, after a ſhort conſultation, thought it adviſeable to raiſe the ſiege, and join their armies, whether, as ſome affirm, with deſign to give battle, or to avoid it, as others pretend. Be this as it will, they poſted themſelves on Marſton-moor, about five miles from York. But though indeed prince Rupert muſt have paſſed that way to come at them with his army, they left however two ſides of York open, that proviſions and ammunition, and even troops by ſmall parties might be conveyed in. If the prince's deſign had been only to relieve York, he had already effected it, and had only to remain in his poſt, and keep the enemies at a bay, till all neceſſaries had been ſent into the city [1]. But that ſame day, coming to York with a guard of two hundred horſe, he conferred with the marquis of Newcaſtle, or rather ſignified to him, that he intended to fight, according to his majeſty's expreſs orders. As the prince was extremely haughty, he made not the leaſt compliment to the marquis, upon the authority he aſſumed in reſolving to give battle, contrary to the marquis's opinion, who maintained, it was by no means requiſite in the preſent juncture, and the rather, as he expected five thouſand men, who were coming from the north to his aſſiſtance. Moreover, the prince made no ſcruple to command, without ſaying any thing to the marquis, the forces in York to be ready to join him the next morning in order to engage. And yet, theſe forces had been levied by the marquis, and commanded by him with great reputation. Beſides, the marquis's birth and merit ſeemed to require a greater regard from the prince. Perhaps it never came into the marquis's thoughts to deſire a ſight of the king's expreſs order, or elſe he believed it to be an affront to the prince, to ſhow the leaſt doubt of ſuch an order. However this be, he told him, he was ready to obey his highneſs in all things, who might diſpoſe of his troops as he pleaſed, and for his own part, he would be contented to charge in the battle as volunteer. His diſſatisfaction was farther increaſed, when having aſked the prince, what ſervice he would be pleaſed to command him, the prince anſwered him, he would begin no action upon the enemy till early the

The ſiege is raiſed. July 1. Ludlow. Warwick.

The prince comes to York.

Treats the marquis haughtily; reſolves to fight. Life of the Duke of Newcaſtle, p. 46. Ruſhworth, V. p. 632.

[1] Ludlow obſerves, 'That if the prince could have been contented with relieving York, and retreated, as he might have done, without fighting, the reputation he had gained, would have cauſed his army to increaſe like the rolling of a ſnow-ball, Tom. I. p. 135.

the next morning, and desired him to repose himself till then. Thus, the prince had the sole management of the intended battle, without consulting the marquis any more. Though he had ordered his forces in York to come and join his army, it does not appear that he had assigned any command or post to the marquis of Newcastle, perhaps, because he said, he would be in the battle as a volunteer. It cannot be denied, this behaviour was very severe to a lord, who had always shown for the king a zeal and affection not to be surpassed, nor perhaps equalled. 1644.

The parliament-generals retire. July 2. Id. p. 632. —634.

In the night, the three parliament generals having considered, that the place was relieved, and thinking prince Rupert had no farther design than to lay in provisions, resolved to march to Tadcaster, Cawood, and Selby, as well to preserve the East-riding, as to hinder the furnishing of York with provisions from thence. Accordingly they began their march early in the morning, the Scots leading the van. But about nine o'clock they had intelligence, that the prince was approaching with his army, and indeed he was advanced with five thousand horse, near their rear. Whereupon they were obliged to draw up speedily, and call back their van, which made all possible haste to rejoin them. Fortunately for them, the foot which the prince had drawn out of York, could not come up with his army till noon, and this gave the Scots time to rejoin the rest of their army, which they had left in the morning. The armies were both drawn up about two in the afternoon: But there was between them a deep and large ditch, which neither cared to pass, for fear of giving the enemy too great an advantage. For this reason, they stood looking upon one another above two hours, each expecting the other to begin the charge.

The prince forces them to engage.

Battle of Marston-moor. July 2. Rushworth, V. p. 632, —635.

Prince Rupert himself headed the left-wing [1], consisting of five thousand horse. The right-wing was commanded by Sir Charles Lucas, with colonel Hurry, and the main body by general Goring. It does not appear, that the marquis of Newcastle had any command in the action. The parliament's right-wing opposite to prince Rupert, was led

[1] Rushworth says, the prince led the right wing, and Sir Charles Lucas the left: and that the earl of Manchester and Cromwell commanded the left of the enemy. The king's forces consisted of fourteen thousand foot, nine thousand horse, and about twenty five pieces of ordnance. The parliament's army did not exceed that number. Oliver Cromwell was hard pressed by the prince's horse, and wounded above the shoulders, but at length he broke through. Rushworth, tom 5. p. 633, 634. The lord Holles affirms that Oliver behaved in this battle, in a very cowardly manner; and that those who did then most service, were the major-generals Lesley and Crawford, and Sir Thomas Fairfax. Mem. p. 15.

1644. by Sir Thomas Fairfax, the left by the earl of Manchester, assisted by his lieutenant-general Oliver Cromwell. In the center towards the right was the lord Fairfax, and general Leven towards the left. At last, between six and seven in the evening, the parliament-generals gave the signal, and marched to the enemies. I shall not undertake to describe this battle, because in all the accounts I have seen, I meet with so little order and clearness, that I cannot expect to give a satisfactory idea of it to such of my readers as understand these matters. I shall content myself with relating one remarkable circumstance, besides the success in general. The left-wing of the king's army, commanded by prince Rupert, was entirely routed by the parliament's right-wing, whilst the king's right-wing had the same advantage over the left of the parliament. The two victorious wings, after chacing their enemies, returned to the field of battle, and, I know not by what accident, met face to face, so that each stood on the same ground that the enemy possessed at the beginning of the battle. Here the fight was renewed, and maintained on both sides with great warmth and vigour, till at last night approaching, the king's horse were put to flight, and pursued as long as day would permit. It was probably at this time that the prince's foot were also routed. I say, probably, because in the description of this battle, it does not appear what the foot did. But this is not the only time that we are left in the dark, when we read in histories the descriptions of battles. They are generally made by persons who have not the least tincture of the art of war, and who by dwelling upon some frivolous circumstances, pass over those that might give the intelligent reader clear ideas. It suffices therefore to say, that the prince's army was pursued within a mile of York, where they retired in the night. The countrymen who were commanded to bury the dead, gave out that they interred four thousand one hundred and fifty bodies. It was reported that three thousand of the prince's men were killed. But the conquerors affirmed, they lost not above three hundred [1].

Clarendon, II. p. 388. Ludlow. Manley.

The prince's army is routed.

Rushworth, V. p. 635.

Though

[1] Sir Charles Lucas, major-general Porter, major-general Tilyard, and the lord Goring's son, were among the prisoners. There were about a hundred other officers taken, and fifteen hundred soldiers, twenty-five pieces of ordnance, a hundred and thirty barrels of powder, several thousands of arms, and about a hundred colours. Whitelock, p. 94. Others say, there were about four thousand taken prisoners, and as many slain on the king's party; the whole of both armies amounted to near nine thousand men. Common War, p. 50. Among the colours were prince Rupert's standard,

Though prince Rupert had always been victorious where he had commanded in chief, it is not very ſurpriſing that he ſhould once be defeated; this is a misfortune incident to the greateſt generals. But his reſolution to retire the next day with his army, muſt needs appear very ſtrange. His horſe had not ſuffered much, becauſe they had taken to flight betimes, at leaſt thoſe of the left-wing, commanded by himſelf, and his foot were alſo in good condition, the greateſt ſtorm having fallen on the marquis of Newcaſtle's. He might therefore have defended York, and waited the king's orders upon this fatal accident. So, this extraordinary reſolution can ſcarce be imputed but to an exceſſive ſhame and indignation, which hindered him from conſidering how prejudicial it would be to the king his uncle's affairs. He ſent the marquis of Newcaſtle notice of his deſign, juſt as the marquis was ſending him word, that he was inſtantly going to quit the kingdom. They both put their reſolutions in practice. The marquis repaired that very day to Scarborough, and embarked for Hamburgh [1], and the prince left York, and marched towards Cheſter with the remains of his army. It is eaſy to gueſs why the marquis of Newcaſtle quitted the king's ſervice, after having been ſo unworthily treated by prince Rupert. He believed doubtleſs, he could not with honour reſume his former command, having been deemed incapable to ſerve the king on ſo important an occaſion. Nay, very probably, he imagined the prince would not have behaved to him in ſo haughty and rude a manner, if he had not thought he ſhould be avowed. Nevertheleſs, the prince could afterwards produce in his vindication only the king's letter above-mentioned, which he underſtood in a ſenſe the king himſelf had never thought of [2]. It may therefore be affirmed, that his committing ſo many errors one after another, was entirely owing to his exceſſive haughtineſs. 1644.

Rush. p. 636, 637. Clarendon, II. p. 389.

ard, with the arms of the Palatinate, and a red croſs in the middle; a yellow coronet, in the middle a lion couchant, and behind him a maſtiff, ſeeming to ſnatch at him, and in a label from his mouth written, Kimbolton; at his feet little beagles, and before their mouths written, Pym, Pym, Pym; and out of the lion's mouth theſe words proceeded,—*Quouſque tandem abutére patientia noſtra?* Ruſhworth, tom. 5. p. 635.

[1] With him went his two ſons, Charles Viſcount Mansfield, and Henry lord Cavendiſh; his brother Sir Charles Cavendiſh; Dr. Bramhal biſhop of Londonderry; the lord Falconbridge; the lord Withrington; the earl of Elthyne; the lord Cornwarth; and Sir William Carnaby. On the 8th of July they arrived at Hamburgh. The marquis came no more to England till after the reſtoration of Charles II. Idem, p. 637.

[2] This letter was produced only to his friends, and after the king's death. Clarendon, tom. 2. p. 390.

1644. The parliament-generals improved their victory, and the diſſention of their enemies. They returned to their poſts before York, which was left to the diſcretion of Sir Thomas Glemham the governor, who ſeeing himſelf unable long to reſiſt, ſurrendered that important place upon honourable terms. They were no ſooner in poſſeſſion of York, but the three armies ſeparated. The lord Fairfax with his forces remained at York, as governor. The earl of Manchester marched towards Lincoln, not to be remote, without neceſſity, from the aſſociated counties, whoſe troops he commanded. The earl of Leven with the Scotch army marched northward to join the earl of Calendar, who was advancing with a ſtrong reinforcement from Scotland. When theſe forces were joined, he laid ſiege to Newcaſtle, which ſurrendered at diſcretion about the end of October [1]. Thus the battle of Marſton-moor loſt the king all the north, which hitherto had given the parliament forces a powerful diverſion. But this was not all the miſchief the king had to fear. There was danger of the three victorious armies joining in the heart of the kingdom thoſe of the earl of Eſſex and Sir William Waller, and of their taking at once all the places which were ſtill in his power. This was the more to be feared, as when he heard of the defeat of his army at Marſton-moor, he was himſelf marching to the relief of the weſt, where the earl of Eſſex then was with an army, which the king's forces in thoſe parts were not able to withſtand. This is what I muſt now explain, and withal ſpeak of what paſſed at Oxford, whilſt the northern armies were in action.

The taking of York. July 15. Ruſhworth, V. p. 637. Clarendon, II. p. 390. The three armies ſeparate. Ruſhworth, V. p. 641. The Scots take Newcaſtle. Id. p. 645.

Extraordinary preparations of the parliament for the campaign of 1644. March 26, 30. Ruſhworth, V. p. 653.

The parliament ſeem by their extraordinary preparations in the beginning of the year 1644, to have intended to put a ſpeedy concluſion to the war. Beſides the armies of the lord Fairfax and Scotland, and that of the earl of Manchester, which was paid by the eaſtern counties, a new regulation was made the latter end of March, for the maintenance of ſeven thouſand five hundred foot, and three thouſand horſe, to be commanded by the Earl of Eſſex. At the ſame time, by another ordinance, the four ſouthern aſſociated counties, namely, Kent, Suſſex, Surrey, and Hampſhire, were to maintain an army of three thouſand ſix hundred foot, twelve hundred horſe, and five hundred dragoons, under the command of Sir William Waller. Theſe were not new

[1] It was taken by ſtorm, October 19. Ruſhworth, tom. 5. p. 650. The earl of Manchester took alſo Sheffield-caſtle, and ſome other places. Idem, p. 642.

new armies, they ſubſiſted before the regulation; but the point was to recruit them, compleat the number fixed by the parliament, and ſettle the neceſſary weekly payment of their ſubſiſtance [1]. 1644.

Though Sir William Waller was worſted at the battle of Roundway-down, the two houſes, far from loſing their eſteem for him, reſolved to ſend him into the weſt, with an army capable of withſtanding prince Maurice, who found no farther oppoſition in thoſe parts. The king having notice of this deſign, reſolved not only to hinder Waller's march into the weſt, but alſo to break the aſſociation of the four ſouthern counties, where he had many friends, and even hoped to procure an aſſociation of theſe counties in his favour. To that purpoſe, he gave the lord Hopton [2] an army conſiſting of troops drawn out of ſeveral garriſons, and of two regiments of foot lately arrived at Briſtol from Ireland [3]. As ſoon as theſe forces were aſſembled, the lord Hopton poſted himſelf at Wincheſter, where Sir John Berkley brought him two regiments newly raiſed by him in Devonſhire, and the king ſent him a detachment of a thouſand men commanded by Sir Jacob Aſhley. All theſe forces together made an army of four thouſand foot, and fifteen hundred horſe [4], with which he reſolved to march into Suſſex. Waller, who was then quartered about Farnham, aſſembled his troops and faced the enemy: but after ſome ſlight ſkirmiſhes, he retired into Farnham caſtle, from whence he took a journey to London, to repreſent to the parliament his want of ſupplies, without which it would not be poſſible to perform what had been enjoined him.

Reſolution to ſend Waller into the weſt.

The king tries to prevent it.

He ſends Hopton to the ſouthward. Clarendon, II. p. 361, 362, Ruſhworth, V. p. 654.

Clarendon, ibid. and p. 363.

Immediately after Waller's departure for London, the lord Hopton marched with part of his army to attack Arundel caſtle, which was ſurrendered upon terms. But hearing a few days after, that Waller was returned to Farnham with a ſtrong reinforcement, he rejoined the reſt of his army.

Hopton takes Arundel caſtle.

[1] For the maintenance of this army, and a ſuitable train of artillery, with other incident charges, there was to be monthly raiſed and paid out of the exciſe, the ſum of thirty thouſand, five hundred and four pounds. And, beſides the money ariſing from the forfeited eſtates in Hampſhire and Suſſex, the weekly ſum of 2638 *l.* was to be levied in the four aſſociated counties for Waller's army. Ruſhworth, tom. 5. p. 653.

[2] Sir Ralph Hopton was created lord Hopton of Stratton, Septemb. 4, 1643, at Oxford, though, by miſtake, Rapin ſtill calls him chevalier Hopton.

[3] Under the command of Sir Charles Vavaſor, and Sir John Pawlet. Clarendon, tom. 2. p. 361.

[4] Ruſhworth ſays, That he and the earl of Forth had drawn together an army of thirteen or fourteen thouſand men, Tom. 5. p. 654.

1644. Waller's journey to London anſwered his expectation. Beſides a brigade of Londoners under major-general Brown, he procured an order of parliament to the earl of Eſſex, to ſend him from his army a thouſand horſe under the command of Sir William Balfour. He was no ſooner returned to Farnham with theſe ſupplies, but he marched all night, and at break of day beat up one of the lord Hopton's quarters at Alton, and carried away priſoners colonel Boles's regiment of foot [1]; a troop or two of horſe, which were in the ſame quarters, having betimes taken to flight. Then he marched directly to Arundel caſtle, and made the garriſon priſoners. Here the learned Chillingworth was taken, and died within few days.

Waller retakes it. Id. p. 364, 365.

Battle of Alresford, wherein the lord Hopton is defeated. March 29. Ruſhworth, V. p. 654. Clarendon, II. p. 366, 367.

The king hearing of the ſupplies given to Waller, ſent a reinforcement to the lord Hopton. The earl of Forth, the king's general [2], would go himſelf, but refuſed the command which the lord Hopton offered to reſign to him. The lord Hopton having then an army of about eight thouſand men, reſolved to give Waller battle, and begun his march with that intent; at the very time Waller was advancing towards him with the ſame reſolution. The two armies met between Farnham and Wincheſter on Cheriton-down near Alresford, where the battle was fought the 29th of March. The lord Hopton was defeated and forced to retire to Reading, and afterwards to Oxford [3]. Waller marched to Wincheſter, and became maſter of the city, but did not think proper to beſiege the caſtle, which was his own inheritance, becauſe he had elſewhere more important affairs; as will be ſeen preſently. The lord Clarendon pretends, the loſs ſuſtained by Waller at Alresford hindered him from improving his advantage, and marching into the weſt, as he had reſolved. But it may be affirmed, this was not the thing that prevented his taking the weſtern rout. It was rather owing to the parliament's reſolutions, by whom he was recalled to London, after having diſmiſſed the auxiliary regiments of that city, and Kent, which were alſo come to join him.

Id. p. 367.

Reſolution to beſiege Oxford.

Both houſes perceiving, that by the king's late loſs at Alresford, his army was diſcouraged and conſiderably leſſened; that moreover, they had ſufficient forces in the north to

[1] The colonel had retired with his men into the church, but had not time to barricade the doors. So, the enemy entering with him, his ſoldiers threw down their arms, and aſked quarter, which was alſo offered to the colonel, who refuſing it, was killed. Clarendon, Tom. II. p. 365.

[2] Lately made earl of Brentford.

[3] In this battle, on the king's ſide, fell the lord John Stewart, brother to the duke of Richmond, and Sir John Smith a papiſt, brother to the lord Carrington. Clarendon, Tom. II. p. 367.

to have nothing to fear from the marquis of Newcaſtle, who was ſhut up in York, reſolved to beſiege Oxford, where the king was with his army. So, having relinquiſhed, or ſuſpended, the deſign of ſending Waller into the weſt, they laboured with all poſſible diligence, to put the two armies of Eſſex and Waller upon the foot ſettled by their ordinance, that they might act together againſt Oxford. 1644.

The king had ever imagined, that Waller's deſign was to march towards the weſtern parts. For which reaſon he had aſſembled his forces at Marlborough, and afterwards poſted himſelf at Newbury, where he had remained ſome time, till he could better diſcover the deſigns of his enemies. But having at length found, the parliament had altered their meaſures, he came to Reading, and cauſed the fortifications to be demoliſhed, in order to ſtrengthen his army with the garriſon, conſiſting of two thouſand five hundred men. He alſo ordered prince Rupert to come and join him: but afterwards permitted him to relieve Latham houſe, where the counteſs of Derby was beſieged. With the Reading garriſon, his army was increaſed to eight thouſand five hundred foot, and four thouſand horſe. But being ſtill ignorant of the deſigns of his enemies, he thought proper to retire to Oxford with his whole army. May 14. Ruſhworth, V. p. 667. Clarendon, II. p. 370, 373.

Mean while, the parliament, who had for ſome time found means to take their reſolutions with more ſecrecy than formerly, perceiving the two armies of Eſſex and Waller ready to march, ſent to each a ſupply of four thouſand two hundred of the trained-bands of London. So, the earl of Eſſex's army conſiſted of twelve thouſand foot, and three thouſand horſe; and Waller's of ſeven thouſand foot, and fifteen hundred horſe and dragoons. Theſe two generals had orders to march ſeparately, and beſiege Oxford, if the king remained there; but if he went from thence, the earl of Eſſex was ordered to follow him with his army, and Waller to march into the weſt, according to the firſt project. They departed from London, the 14th and 15th of May, to put themſelves at the head of their reſpective armies, and immediately marched towards Oxford. The earl of Eſſex and Waller march towards Oxford. Clarendon, II. p. 373. Ruſhworth, V. p. 667, 668. p. 668, 670.

The king had poſted almoſt all his infantry at Abington, in order to ſtop the enemies, and have time to conſider what meaſures he ſhould take, in caſe they really intended to beſiege Oxford, which he ſtill queſtioned. As Abington could not be eaſily defended but on the eaſt-ſide, and he was unwilling to run any unneceſſary hazard, he had ordered general Abington abandoned by the king, and poſſeſſed by the earl of Eſſex. Clarendon, II. p. 374. Ruſhworth, V. p. 670.

1644. neral Wilmot to make a vigorous defence, if attacked on that ſide, but if on the weſt from Wantage and Farrington, to relinquiſh the place. But whether the order was not clear and full, or for ſome other reaſon, Wilmot, at the enemies approach on the eaſt-ſide immediately retired to Oxford, and the earl of Eſſex inſtantly entered Abington. The king perceiving the ſiege of Oxford was reſolved, had but one way to hinder it, which was to defend the paſſes of the rivers Iſis and Cherwell, which run on the weſt and eaſt-ſides of the city, and to that end he quartered his horſe near the Iſis, and his foot towards the Cherwell. As the motions of the parliament-armies entirely proceed from the ſituation of Oxford and the adjacent country; and as, without this knowledge, ſcarce any thing would be intelligible, I ſhall paſs over the particulars which to me ſeem not abſolutely neceſſary, and content myſelf with ſaying, that Waller found means at laſt to gain the paſs at Newbridge over the Iſis, which enabled him to fall upon the rear of the king's foot that were defending the Cherwell [1]. Whereupon the king drew all his forces into Oxford, and to the north of the city, with thoughts at the ſame time of providing for the ſafety of his perſon, not judging it proper to ſuffer himſelf to be ſhut up. There was no time to loſe, for the king's troops were hardly retired, when the earl of Eſſex paſſed the Cherwell at Goſworth bridge with his army. So the king giving orders to his horſe, and a ſmall body of foot, to wait for him at ſuch a place, left Oxford the 3d of June about nine o'clock at night, and ſafely paſſed between the two parliament armies [2]. He was out of all danger of purſuit before the news of his retreat reached the enemies, and came at length, on June 6, to Worceſter, after having endured a great fatigue.

Clarendon, II. p. 376.

Clarendon, T. II. p. 376. Ruſhworth, V. p. 671.

The king withdraws from Oxford with his horſe, June 3.

Clarendon, T. II. p. 377. Ruſhworth, V. p. 671.

The two generals relinquiſh the deſign of beſieging Oxford.

The two generals were extremely ſurprized, when they heard the king had eſcaped them. But it was too late to hope to overtake him. Mean while, the city of Oxford being well ſtored with proviſions and ammunition, and the king having left there almoſt all his foot, they did not think fit to beſiege it, and the rather, as they had no orders to do it, unleſs the king remained there. The parliament's intention was, that in caſe the king quitted Oxford, the earl of

[1] The lord Clarendon ſays, he might have brought over all his army, and fallen upon the king's rear; not, that he did. Tom. II. p. 376.

[2] He went that night to Mr. Parre's at Northlye, where next morning he drew up his army, and went that afternoon to Burton on the Water, where he lodged at Dr. Temple's the prince's chaplain. On the 5th he marched to Eveſham, and on Thurſday the 6th to the city of Worceſter, Ruſhworth, Tom. V. p. 671.

of Eſſex ſhould follow him with his army; and Waller with his take care of the affairs of the weſt. But the earl of Eſſex, for ſome unknown reaſon, reverſed his order, and would himſelf march into the weſt. And when Waller urged the parliament's orders, the earl of Eſſex poſitively commanded him, as his general, to obey, to which the other could make no reply. So, the earl immediately began his march to the weſt. The parliament were very much offended with the earl of Eſſex's diſobedience, and ſent him an order, which reached him at Saliſbury, to return, follow the king, and leave to Waller the weſtern expedition. But the earl, inſtead of complying, ſent a letter to the committee of war [1], with the reaſons of his conduct, ſubſcribing his letter, "Your innocent, though ſuſpected ſervant, "Eſſex." Whether both houſes were ſatisfied with the earl's reaſons, or believed it proper not to incenſe him in ſuch a juncture, they ſuffered him to purſue his march, which he did in a ſlow and eaſy manner, till he came into Devonſhire.

1644. The earl marches into the weſt, contrary to the parliament's orders. Clarendon, T. II. p. 378. Ruſhworth, V. p. 672. Id. p. 683. Clarendon, T. II. p. 379.

The queen had been ever ſince April at Exeter, the capital of that county, where ſhe was delivered of the princeſs Henrietta, about a fortnight or three weeks before the earl of Eſſex's approach. As ſoon as ſhe heard of his entering Devonſhire, ſhe ſent and deſired a ſafe-conduct to retire to Briſtol [2]. The earl of Eſſex anſwered, if her majeſty would pleaſe to go to London, he would have the honour to wait upon her thither; but could not give her a ſafe-conduct to Briſtol, without the expreſs order of both houſes. Whereupon the queen withdrew into Cornwal, and ſome time after into France, with a convoy of men of war, ſent her by the prince of Orange.

The queen retires into France. Ruſhworth, V. p. 665——684. Clarendon, T. II. p. 369, 394. July 14.

Prince Maurice had been, ſince the 20th of April, before the little town of Lime, which made a more obſtinate defence than was expected. This place, and Plymouth, were almoſt the only towns in the weſt that were for the parliament. It was therefore very neceſſary for the parliament, to have in thoſe parts, forces capable of reviving the courage of their friends, who had received no aſſiſtance ſince prince Maurice's arrival. At the earl of Eſſex's approach, who was now advanced to Dorcheſter, the prince raiſed the ſiege of Lyme, and retired to Exeter. The ſame day, the earl of Eſſex poſſeſſed himſelf of Dorcheſter. Then, he detached

Prince Maurice raiſes the ſiege of Lyme, and retires to Exeter. June 15. Ruſhworth, V. p. 665, 677—682.

[1] There was a committee of both kingdoms reſiding at London, for the carrying on the war. There was uſually a committee of the parliament in the armies likewiſe.

[2] She deſired at firſt a ſafe-conduct, to go to Bath for her health. Ruſhworth, Tom. V. p. 684.

1644. tached Sir William Balfour, who took Weymouth, whither the earl of Eſſex inſtantly repaired. He had ſome thoughts of beſieging Exeter, and indeed marched that way; but conſidering that prince Maurice was there with his whole army, he was afraid of loſing two much time in the ſiege, and ſtopped at Chard, where he remained ſome time, and from thence marched to Tiverton. Whereupon, prince Maurice ſent a detachment from Exeter, with orders to ſecure Barnſtable; but the inhabitants ſhut the gates againſt them, and immediately ſent to the earl of Eſſex, to come and take poſſeſſion of the town, which was done accordingly by the lord Roberts. Here was taken captain Howard, who having been formerly lieutenant to captain Pym, had deſerted, with nineteen troopers, to the king's party; for which being now tried by a council of war, he was condemned and executed. Upon this, prince Maurice cauſed to be hanged Turpin, a ſea-captain, taken priſoner in attempting to relieve Exeter, when the earl of Stamford was beſieged in it. He being indicted for levying arms againſt the king, was by the judges, Heath, Forſter, Banks, and ſerjeant Glanvil, condemned, but hitherto reprieved, by reaſon of the conſequences. The parliament was very much incenſed at this repriſal, conſidering the difference between a priſoner of war, and a deſerter. Wherefore having ſerjeant Glanvil in their cuſtody, who had lately quitted the king's party, and returned to London, they ordered him to be impeached of high-treaſon. Soon after, the king's party cauſed fourteen clothiers to be hanged at Woodhouſe in Wiltſhire [1], and the parliament ordered eight Iriſhmen to be executed, who had been taken priſoners in ſome action. Theſe are the ſad effects of civil wars. Theſe executions gave occaſion to the parliament, in Auguſt following, to erect a court-martial, to which were given very ſevere inſtructions, chiefly with reſpect to deſerters. About the middle of July, Taunton-Dean was taken for the parliament, by a party of the garriſon of Lyme [2].

Eſſex's progreſs in the weſt. p. 683, 684. Clarendon, T. II. p. 382, 383.

Captain Howard hanged for deſertion. Ruſhworth, V. p. 685.

Captain Turpin hanged in revenge.

Id. p. 685. Ludlow.

Ruſhworth, V. p. 686.

Id. p. 685.

I am obliged for a time, to break off the narrative of the affairs of the weſt, to relate what the king did after his eſcape from Oxford.

The king's march after his flight from Oxford. Id. p. 672.

He arrived the 6th of June at Worceſter with his little army; but ſtaid there only a few days, hearing Waller was marching

[1] One of the clothiers breaking his halter, deſired, that what he had ſuffered might be accepted, or elſe, that he might fight againſt any two for his life. But he was hanged up again. Ludlow, Tom. I. p. 120.

[2] They were led on by Sir Robert Pye, and colonel Blake, Ruſhworth, Tom. V. p. 685.

marching that way. When he quitted Worceſter, he made ſeveral marches and counter-marches [1], to deceive the vigilance of his enemy, not being ſtrong enough to venture to expect him. At laſt, having made a ſhow of marching towards Shrewſbury, Waller doubted not but his deſign was to join prince Rupert, who was ſtill in thoſe parts. For this was before the battle of Marſton-moor. He thought it therefore very important to march before, and poſt himſelf between the king and Shrewſbury, in order to hinder his joining with the prince. The king was very glad to have deceived Waller. As ſoon as he knew Waller expected him upon that rout, he feigned to take it indeed, but ſuddenly turning about, inſtead of continuing his march towards Shrewſbury, took the road to Oxford, and left Waller in his poſt, without any poſſibility of overtaking him. When he came near Oxford, he was joined by the reſt of his army, which he had left there when he quitted that city. Then, no longer fearing Waller, ſince he was ſtronger than he, he went and quartered in Buckinghamſhire, without any other deſign than to give the enemy battle, if there was occaſion.

1644.

Waller follows him. p. 674, 675, 686. Clarendon, T.II. p.379, ——381, 383.

Waller having been thus circumvented, approached the king however, and at length the two armies were in ſight, with the river Cherwell between them. Waller drew up on a very advantageous ground, imagining the king would paſs the river to attack him, and thereby furniſh him with an opportunity to fight with advantage. But the king, to draw him from his poſt, feigned to march northward, and accordingly advanced into Northamptonſhire, leaving a ſtrong guard at Cropedy-bridge, to hinder the enemies from paſſing and following him in the rear. Whilſt he was marching, he had intelligence, there was a body of three hundred horſe going to join Waller, within two miles of the van of his army, and was told they might be eaſily cut off, if the army moved faſter. Whereupon orders were ſent to the van, and main body, to advance faſter. As ſoon as Waller perceived there was a great diſtance between the king's rear, and the reſt of his army, he detached a thouſand horſe, to paſs the river at a ford, a mile below, and himſelf, with fifteen hundred horſe, one thouſand foot, and eleven pieces of cannon, attacked Cropedy-bridge, took it, and paſſed his troops. Which done, he fell upon the king's rear,

The fight at Cropedy-bridge, June 29. Ruſhworth, V. p. 676. Clarendon, T.II. p.384. Whitelock.

[1] June 12, he marched from Worceſter to Bewdley; the 15th, he advanced along the Severn towards Bridgenorth, but returned the ſame day to Worceſter; the 16th, he marched through Eveſham to Broadway; and the next day came to Burford. Idem, p. 674, 675.

1644. rear, but was repulſed, with loſs of many of his men and part of his cannon. This is all that can be gathered with any clearneſs, from the accounts of this battle [1]. The detachment, which, I ſaid, paſſed the ford, had much the ſame ſucceſs. Waller being thus repulſed, and forced to repaſs the river, drew up his men on a hill, and there waited
Clarendon, T. II. p. 386. the king's motions. As it was yet but three in the afternoon, the king, believing the enemies were diſcouraged with their ill ſucceſs, ordered Cropedy-bridge and the ford, to be attacked by two great detachments. The firſt was repulſed at the bridge, with great loſs on the king's ſide. The other gained the ford; but all that could be done, was to maintain it, expecting in vain, till night, that the firſt detachment would recover the bridge. Night coming on, both ſides retired, Waller remaining maſter of the two paſſes.

Ibid. The king was ſo prepoſſeſſed with the notion, that the enemies army was entirely diſcouraged, that he reſolved to ſend them an offer of pardon by a herald, imagining it would be immediately accepted, and Waller deſerted. In this belief, he ſent a trumpeter to Waller, to deſire a ſafe-conduct for a gentleman to deliver a gracious meſſage from his majeſty. Waller anſwered, he had no power to receive any meſſage without permiſſion from the parliament, to whom his majeſty was to make application. The two armies faced each other for the ſpace of two days, ſtanding in the ſame poſture, after which they both drew off, each taking a different rout [2]. In all appearance, Waller after this loſs, did not think himſelf in condition to go any more in queſt of the king, who was ſuperior to him in number. As it was about this time, that the report of prince Rupert's defeat at Marſton-moor was ſpread, Waller thought, doubtleſs, there was no great neceſſity to hazard a ſecond battle, ſince the king would probably be very much diſtreſſed. When he knew afterwards, the king was marching towards the weſt, he gave himſelf ſtill leſs trouble about what the king might attempt, ſince it belonged to the earl of Eſſex to get off as he could. There was not a ſufficient union between them, for Waller to be much concerned at what
Ruſhworth, V. p. 687. might happen to the earl. Perhaps too, his not being able to

[1] On the king's ſide were ſlain Sir William Boteler, and Sir William Clark, two Kentiſh knights; and the lord Wilmot was wounded. Ruſhworth, Tom. V. p. 676. Whitelock ſays, colonel Middleton being diſmounted, the royaliſts taking him to be one of their commanders, mounted him again, wiſhing him to make haſte and kill a round-head, by which means he eſcaped. Mem. p. 93.

[2] Ruſhworth and Whitelock both ſay the king drew off firſt, and then Waller marched over Cropedy-bridge. Rapin follows the lord Clarendon's account.

to follow the king, who was marching againſt the earl of Eſſex, was the reaſon why he diſmiſſed the regiments of the London auxiliaries, which, added to his loſs at Cropedy, diſabled him to act till he had freſh troops. 1644.

The king, who in the beginning of this campaign was in a ſad ſtrait, found himſelf, a month after, much at eaſe. Of the two armies by which he had been attacked, one was unable to hurt him, and the other was gone into the weſt, where he himſelf was very ſtrong. In the firſt place, he was maſter of all the fortified towns, Plymouth excepted. Secondly, he had at Briſtol a large garriſon, part whereof might be drawn out upon occaſion. In the third place, almoſt all the gentry of the weſtern counties were well affected to him. There were only the meaner ſort of people, who were divided between him and the parliament, but who however were always ready to join with the ſtrongeſt. Laſtly, prince Maurice had at Exeter, and in the neighbourhood, four thouſand men, which could be eaſily brought to him by the north of Devonſhire, and the earl of Eſſex not be able to prevent it. All theſe conſiderations determined him to march weſtward, to give the earl of Eſſex battle, if an opportunity offered. He had ſcarce begun his march, when he received the ill news of what paſſed at York, which confirmed him in his reſolution. He perceived, that if he remained in the middle of the kingdom, where he had few friends or fortified towns, the three parliament armies, which were now ſeparated, would not fail to rejoin, and then he ſhould be too weak to withſtand them. The king marches towards the weſt. Clarendon, V. II. p. 387.

As ſoon as the king had taken this reſolution, he informed prince Maurice of it, that he might be ready to join him, and by the ſame expreſs ſent orders to the lord Hopton, to draw what men he could out of Wales and lead them to Briſtol, that he might meet him on the way with thoſe troops, and as many more as could poſſibly be ſpared from that garriſon. So, the king making eaſy marches, in order to give the Welſh troops time to join him, came the 15th of July to Bath, from whence, after two days, he departed, and at length arrived at Exeter. When all the forces, he had ſent for, had joined him, he ſaw himſelf at the head of an army much more numerous than the earl of Eſſex's. Id. p. 381. Ruſhworth, V. p. 688.

Five days after the fight at Cropedy-bridge, the king being at Eveſham, cauſed to be drawn up a meſſage for peace to both houſes, a copy whereof was ſent to the earl of Eſſex by the marquis of Hertford, to be communicated to the parliament, it being intimated that the French agent had the original The king's meſſage to both houſes for peace not anſwered. July 4. Ruſhworth, V. p. 687.

1644. original to deliver if required. This meſſage directed *To the lords and commons of parliament aſſembled at* Weſtminſter, contained a general offer to treat of peace, and if commiſſioners ſhould be ſent to him, he would grant them a ſafe-conduct. The two houſes, ever jealous of the king, thought there was ſome artifice concealed in ſending them only a copy of the meſſage, and that his aim was to engage them to demand the original of the French agent. Beſides, they did not conceive themſelves to be owned by the direction of this meſſage as the two houſes of parliament, and therefore imagined, the king had a mind to reſerve to himſelf the power of ſaying, that he did not acknowledge them for the true parliament of England [1], and indeed he ought not, according to his principles, ſince he had publiſhed the fore-mentioned declaration againſt them. Wherefore they reſolved to take no notice of the meſſage, nor return any anſwer.

The king's ſpeech to the Somerſetſhire men. July 23. Id. p. 688.

Whilſt the king ſtayed at Bath, he had aſſembled the inhabitants of Somerſetſhire at Kingſmoor, and made a ſpeech to them, exhorting them to take up arms for him, and furniſh him with money. He told them, "That victory was "the only means left to reſtore peace to the nation, that "bleſſed peace which he had ſo often ſought for from them "at Weſtminſter, and which they had ſo ſcornfully rejected. "But, continued he, when I mention peace, I would be "underſtood to intend that peace, which is built upon ſuch "foundations as are moſt likely to render it firm and ſtable; "wherein God's true religion may be beſt ſecured from the "danger of popery, ſectaries, and innovations; the crown "may poſſeſs thoſe juſt prerogatives which may enable me "to protect and govern my people according to law; and "the ſubjects be confirmed in thoſe rights which they have "derived from their forefathers, and which I have granted "them in parliament; to which I ſhall always be ready to "add ſuch new graces, as I ſhall find moſt to conduce to "their happineſs: this is the peace which I labour for, "wherein I may juſtly expect your beſt aſſiſtance with your "hearts, and hands, and purſes."

For the clear underſtanding of the king's meaning, not only on this, but on all other the like occaſions without exception, it muſt be conſidered, the parliament did not deny, that a king of England ought according to the laws of the land, to enjoy ſuch prerogatives as his majeſty demanded; but they affirmed, it ought to be for the welfare, and not for

[1] The author being obſcure in this place, and have miſtaken the direction of the meſſage as in Ruſhworth, the tranſlation is according to Ruſhworth.

for the destruction of the people. They pretended, that Charles I. had abused these prerogatives to destroy the rights of the subject, and from thence drew this inference, that it was absolutely necessary to put it out of his power to abuse them for the future, which could be done only by depriving him of part of the prerogatives he had abused. They maintained, only the king's bare word could not be relied on, and there was need of a stronger fence to secure the laws. The king, on his part, did not deny he had made ill use of his power. But he had repaired the mischief he had done, and protested, his intention was to govern for the future, according to the laws of the land. What therefore was the ground of the war? Why; the parliament would not trust to the king's word, and the king refused to give other security. When therefore the king so frequently offered peace, on condition he should be restored to all his prerogatives, excepting those he had departed from in this parliament, far from showing by these offers, that he was sincerely desirous of peace, he rather demonstrated, that nothing could satisfy him but an entire victory, whether by arms or treaty. On the other hand, when the parliament seemed to wish for peace, but on condition that the king should be divested of his prerogatives, was not this in reality to wish for war, since it was desiring to secure by a treaty an advantage, which their arms had hitherto rendered very uncertain? We must not therefore be misled by the sound of the word peace, which was, as appears, a very ambiguous term, and of which both sides, especially the king, made a parade to dazzle the people. I am in hopes this remark will be of use to explain many the like passages of this reign. 1644.

When the earl of Essex heard of the king's approach, he called a council of war, to debate what was to be done in this emergency. His own opinion was, to return, and hinder the king from penetrating farther into the country, and, to give him battle if a favorable opportunity offered. He represented, that in Devonshire or Somersetshire, as he should not be straitned in room or provisions, he might either fight, or avoid it as he should think fit. But the lord Roberts, of Truro [1], field-marshal in this expedition, whose estate lay all in Cornwal, positively affirmed, that as soon

The earl of Essex enters Cornwal. June 26. Id. p. 690, 691. Clarendon, T. II. p. 395.

[1] So made in 14 Jac. I. The duke of Buckingham (as is said in the 9th article of the impeachment against him) knowing him to be rich, forced him to take the honour, and pay him 10,000 l. for it. The lord Clarendon

1644. soon as the army should enter that county, the people would all declare for the parliament; that then it would be impossible for the king to come there, and the army might easily subsist, and be re-inforced with a great number of troops. Upon this assurance, which afterwards proved very false, the lord Roberts, rather by a sort of violence, than the strength of his reasons, caused it to be resolved, that the army should march into Cornwal.

The king follows him. Clarendon, T. II. p. 396. Rushworth, V. p. 691. Whitelock.

Pursuant to this resolution, the earl of Essex entered that county the 26th of July, after forcing the passage at Newbridge, which was bravely defended by Sir Richard Grenvil. The same day the king came to Exeter[1], and after a general muster of his army, followed the earl of Essex, who did not find in Cornwal what the lord Roberts had made him expect. He advanced however to Lanceston, and from thence to Bodmin, where he writ to the parliament, that he did not doubt, that the king's design was to straiten him for provisions, and therefore earnestly desired, that an army might be sent into the west, to lie upon the king's rear, and hinder him from executing his project. But as Sir William Waller was not ready to march, being then in London soliciting supplies for his army, all that could be done was to detach colonel Middleton with two thousand five hundred horse and dragoons[2], with orders to march westwards.

The king's letter to the earl of Essex. August 6. Rushworth, V. p. 691. Clarendon, T. II. p. 399, 400, 401. Whitelock.

The king seeing the earl of Essex intangled in a country where he wanted provisions, for the subsistence of his army, thought it a fair opportunity to try to gain him. Wherefore he sent him a letter under his own hand, persuading him to free himself from his present straits, by restoring peace to the kingdom, that is, by declaring for such a peace as the king desired. The earl of Essex returned no answer to this letter, prince Maurice, and the earl of Forth lately made earl of Brentford, the king's general, writ to him two days after, and the next day he received another letter on the same subject, signed by the lord Hopton and many general officers of the king's army. At last, he returned a brief answer to the earl of Brentford, that he had no commission to treat.

don says, he was a man of an impetuous disposition, full of contradiction in his temper, and of parts so much superior to any in the company, that he could too well maintain and justify all those contradictions. Tom. II. p. 395. Ludlow adds, he persuaded the earl to march into Cornwal, that he might have an opportunity to collect his rents in those parts. Tom. I. p. 126.

[1] Where he found his young daughter under the care of the lady Dalkeith. Clarendon, Tom. 2. p. 396.

[2] Whitelock says, That he was sent with three thousand horse, and four thousand were ordered to be sent speedily after him. p. 98.

About this time, the lord Wilmot, lieutenant-general of the king's horſe, was arreſted and ſent priſoner to Exeter by his majeſty's order, he having taken the liberty to ſend the earl of Eſſex word, that if he would enter into treaty, the officers of the king's army were ſo deſirous of peace, they would conſtrain his majeſty to conclude it upon reaſonable terms. Wilmot's diſgrace bred ſome murmurs amongſt the officers of horſe, by whom he was very much beloved. Nay, they preſented a petition to the king, to pray him to let them know what crime that lord was accuſed of. The king, in ſuch a juncture, was very ready to give them this ſatisfaction. Nevertheleſs the lord Wilmot was deprived of his poſt, which was given to the lord Goring; after which, he had leave to retire beyond ſea [1]. It was generally believed in the army, that Wilmot's diſgrace was owing to ſome intrigue of the court, and the king's private hatred of him on account of the part he had acted againſt the earl of Strafford. 1644.

Wilmot arreſted by the king. Clarendon, T. II. p. 383, 396, 397, 398.

Auguſt 18. Ruſhworth, V. p. 693.

Clarendon, T. II. p. 396.

The earl of Eſſex perceived too late the vanity of the lord Roberts's promiſes. So far were the people of Cornwal from riſing in his favour, that on the contrary they ran in crowds to join the king's army. The earl could have proviſions but by ſea, and in ſmall quantities, by means of a river which afforded him a communication with Plymouth [2]. At laſt, Sir Richard Greenvil having brought the king a ſupply of troops, it was reſolved in a council of war, to make uſe of the ſuperiority of the number, not to compel the earl of Eſſex to fight, but to cut off his proviſions entirely. This was happily effected, by means of a fort run up on the bank of the river, by which the enemies received their proviſions. Thus the earl of Eſſex being reduced to the laſt extremity, after having kept his poſt almoſt a month, reſolved to abandon his army, to avoid falling into the king's hands. But before he executed that deſign, he ordered Sir William Balfour to endeavour to ſave the horſe, which he ſuper-

The earl of Eſſex is in great ſtraits. Id. p. 400, 401. Ruſhworth, V. p. 699, &c.

He ſaves his horſe, quits the army, and retires to Plymouth.

[1] The lord Goring was juſt come from prince Rupert, with letters to the king, requeſting that Goring might be made general of the horſe in his room. So that Rapin is miſtaken, in ſaying, he had Wilmot's poſt given him. For his majeſty, the day after his arreſting him, told the officers of horſe, he had juſtly reſtrained Wilmot for the preſent, but had not taken away from him his command in the army. However, Wilmot, when he ſaw his mortal enemy Goring put in the command over him, thought himſelf incapable of reparation or full vindication, ſo deſired leave to retire into France, and had a paſs ſent him for that purpoſe. It ſeems, the earl of Brentford being grown old, the king deſigned to make prince Rupert general. Clarendon, Tom. 2. p. 398.

[2] The king lay about Lefkard, and Eſſex at Leſtwithiel, from whence the river runs to Foy, of which place Eſſex was maſter.

1644. performed very fortunately in a dark misty night, by passing unobserved through the king's quarters [1]. As soon as the earl of Essex knew the horse were out danger, he sent to the king and demanded a parely, but before the answer was returned, took ship with some officers and retired to Plymouth, leaving major-general Skippon to procure the best terms he could for the foot.

Clarendon, T. II. p. 404. Rushworth, V. p. 699. Septemb. 1. Ibid.

The king having granted the parley desired by the earl of Essex before his departure, a conference was held between some officers of both armies, where the following articles were agreed on [2].

Rushworth, V. p. 705.

I. That on the morrow, being the 2d of September, all the officers and soldiers under the command of the earl of Essex, shall deliver up all their cannons and train of artillery, with all carriages, necessaries and materials thereunto belonging; and likewise all arms offensive and defensive, with all ammunition whatsoever, except only the swords and pistols of all officers above the degree of corporals.

II. That immediately after, all officers and soldiers shall march out of their quarters to Lestwithiel with their colours, trumpets, and drums; and that all officers above the degree of serjeants, shall take with them such horses and servants as properly belong to them, with all their bag and baggage, and waggons with their teams.

III. That they shall have a safe convoy of one hundred horse, from their quarters, to Lestwithiel, and thence in their march to Pool and Warham.

IV.

[1] Others say, that they broke thro' the king's quarters. Ludlow, Tom. 1. p. 127. Manley, p. 74.

[2] Whitelock, who pretends to give an impartial relation of this affair, says, That the earl of Essex did not send to parley, but that after he was gone, some came by design to the parliament forces, intimating, that the king was willing to admit of a treaty with them, which was great wisdom and gallantry in the king, chusing rather to defeat them with their own consents, than hazard the doubtful trial of a battle. Upon this, Skippon calls his officers together to a council of war, and declares, he was for fighting his way through the enemy, as the horse had done. But few of the council did concur with him, so the above-mentioned articles were agreed upon. Some of the soldiers, as they were marching forth, being pillaged by the king's soldiers, Skippon rode up to the king, who stood to see them pass by, and told him, "It was against his "honour and justice, that the soldiers "should be pillaged, contrary to the "articles, and desired his majesty to "give orders to restrain them;" which the king did. There were delivered up forty pieces of brass ordnance, nine hundred barrels of powder, and nine thousand arms for horse and foot. See, says Whitelock, the uncertain issues of war! A few weeks before, Essex and Waller, with two great armies, were in pursuit of the king, who could scarce find a way to avoid them; and now the parliament's army is defeated, disarmed, and dispersed, and the king becomes victorious. Whitelock, p. 102.

IV. That in caſe they ſhall march from Pool to any other place by land, that they ſhall not bear arms more than is allowed in the agreement, until they come to Southampton or Portſmouth. 1644.

V. That all the ſick and wounded ſhould be left at Foy, till ſuch time as they can be conveniently tranſported to Plymouth.

VI. That all the officers and ſoldiers ſhall be permitted to receive all moneys, proviſions, and other accommodations, as they ſhould be able to procure from Plymouth; to which end they ſhall have a paſs for any twelve perſons, whom they ſhall ſend for the ſame.

VII. That there ſhall be no inviting of any ſoldiers, but that ſuch as will voluntarily come to his majeſty's ſervice, ſhall not be hindered.

By the treaty, the king properly gained only artillery, arms, and ammunition. But though it was ſomething to reduce this army to ſuch a condition, it would have been of much more advantage to him, had he made the officers and ſoldiers priſoners of war. For the parliament wanted neither artillery, nor arms, nor ammunition, to repair their army, which indeed was able within five or ſix weeks, to give the king battle. It is to be preſumed, the king had good reaſons to be ſatisfied with this little advantage.

Though the earl of Eſſex might have been juſtly upbraided for the two errors he had committed, in obſtinately purſuing his march into the weſt, contrary to the orders of both houſes, and in prepoſterouſly going into Cornwal, he was not inſulted for his misfortunes, but at his return was very civilly received. It was then no proper time to examine his conduct. The point was to recruit and arm the ruined army, as well as that of Waller, and accordingly both houſes applied themſelves to it with all poſſible diligence. They ordered alſo coloniel Middleton to repair ſpeedily to the earl of Eſſex's army, and the earl of Mancheſter to march the ſame way with his forces. The earl is well receiv'd at London. Clarendon, T. II. p. 405.

After the king had gained ſo conſiderable an advantage, he hoped the frighted parliament would deſire nothing more than to come to an agreement. He plainly perceived, that ſuch a peace as he deſired was impracticable, as long as the parliament was proſperous. But he flattered himſelf with the hopes, that after ſo great a misfortune, his enemies would gladly accept his offers, and inſiſt no longer upon terms he was fully reſolved not to grant. In this belief, he ſent from Taviſtock a freſh meſſage to both houſes, with The king's meſſage to both houſes, with the offer of peace. Septemb. 8. Rushworth, V. p. 712.

1644. offers of peace, and annexed to it a duplicate of his former meſſage from Eveſham. The meſſage was ſo worded, that he ſeemed out of pure moderation to offer, after his victory, to be content with having, by a peace, what he was in condition to obtain by force of arms. But if notice be taken of what I before ſaid, to explain what is to be underſtood by the peace offered by the king, it will be found, that through an exceſs of modeſty, moderation, and affection for his people, he would be ſatisfied to obtain by a treaty, what hitherto he had not been able to procure by arms: for that was the real meaning of his offer, though diſguiſed under the ſpecious name of peace. The parliament muſt have underſtood it in that ſenſe, ſince it was not regarded. The king himſelf, doubtleſs, did not believe, he could deceive the the two houſes by the bare name of peace, after having ſo often experienced how much they were upon their guard in that reſpect. But theſe frequent offers of peace were properly deſigned to make impreſſion upon the people, who did not diſcover their true meaning.

The king attacks Plymouth without ſucceſs. Ibid. Clarendon, T. II. p. 412.

The 10th of September, the king appeared before Plymouth [1], in hopes, that after his late victory, the gates would be opened to him. But having ſummoned it in vain, and even made ſome aſſaults, he was forced to retire, the ſeaſon not permitting him to undertake ſo important a ſiege, which, probably, would have employed him ſeveral months. Beſides, his deſign was to march to London, where he ſuppoſed all were in the utmoſt conſternation. Mean while, general Goring, with a detachment of the army, became maſter of Barnſtaple.

The arrival of the elector Palatine at London. Ruſhworth, V. p. 713.

I have had frequent occaſion to ſpeak of the affairs of the elector Palatine, and to obſerve, how much James I. and Charles I. neglected the intereſts, the one of the king his ſon-in-law, and the other of the elector his nephew. All the elector's dominions being in the hands of his enemies, he fled for refuge to the king his uncle, who gave him a penſion for his ſubſiſtence. This penſion, it is likely, was ill paid, ſince the king was engaged in the war with Scotland, and ſtill worſe, ſince the beginning of this parliament. So the elector having attended the king till he retired into the North, and ſeeing the war ready to kindle, abruptly quitted the king his uncle at York. He retired into Holland, and ſtaid there till Auguſt 1644, when he ſuddenly came

[1] Where the lord Robert, who went thither with the earl of Eſſex, was made governor, to whom the lord Digby writ, to perſuade him to ſurrender the town to the king. Ruſhworth, Tom. V. p. 713.

came to London to reside there, under the protection of the parliament. The king hearing of it, writ to him, to know the reason of so extraordinary a proceeding. It does not appear what answer the elector returned; but probably, not knowing how to subsist, and considering the king his uncle was not able to maintain him, he believed, he should find more assistance in the parliament, which had ever expressed a great affection and zeal for his house. He was not deceived in his expectations, for the parliament granted him an honourable pension, which was more regularly paid than the former from the king [r]. He afterwards desired and obtained leave to hear the debates in the assembly of divines. Probably, as he did not care to be concerned in military affairs, he sought to spend his time in conversing with the learned, and improving himself in matters of religion. 1644. The king writes to him. Id. p. 714. October 24.

The king was so strongly possessed with the belief, that his victory could not but make a strong impression upon the minds of the people, that he resolved to march directly to London. He did not question, but his army would considerably increase by the way, and the people forsake the two houses, when they should see him marching towards the metropolis. It is true, such turns had been formerly seen in England, but very seldom or never in favour of princes, whom the nation believed to have cause to complain of. However, though Charles had given but too much occasion to complain of his government, yet was he persuaded, he was beloved by the people, and imputed whatever they did against him, to the artifices, calumnies, promises, threats, and violences, that were used to mislead or compel them. In this belief, he imagined, the people wanted only an opportunity to free themselves from the yoke of the parliament, and that the present one being very favorable, was not to be neglected. He published therefore the 30th of September, a proclamation, dated at Chard, wherein he set forth, with what earnestness and sincerity he had always desired and offered peace, which had been constantly rejected by both houses, after which he said, "That he had therefore "resolved with his army, to draw presently towards Lon- The king resolves to march to London.

[r] He had, before his coming, sent two letters to the parliament, declaring in the first, his satisfaction in the covenant, wishing them success; and in the other, the great straits he and his mother were in, for want of the stipend they formerly had, bemoaning the courses his brother prince Rupert took, in fighting against the parliament. Upon his landing at Gravesend, a committee of the commons attended him, and in May 1645, the commons ordered him an allowance of 3000 l. a year; 2000 l. whereof out of the king's revenue, and the rest out of the estates of the lord Cottington, and Sir Nicholas Crispe. Whitelock, p. 85, 101, 145.

1644. "don, and his ſouthern and eaſtern counties, not looking "upon theſe parts as enemies to him, but as his poor ſub- "jects, oppreſſed by power, *(of which he was aſſured the "greater part remained loyal to him,)* and ſo deſerving his "protection; hoping, that at a nearer diſtance of place, "there might be begot ſo right an underſtanding between "him and his people, that at length he might obtain a "treaty for peace, and a full and free convention in par- "liament, and therein make an end of theſe unhappy "differences, by a good accommodation; whereby his peo- "ple might be ſettled in the poſſeſſion of their rights and "liberties. And therefore he required his ſubjects within "his own quarters, through, or near which he ſhould "paſs, forthwith to prepare themſelves with the beſt arms "they could get, to be ready to join him. He authoriſed "likewiſe as well the trained-bands of London, as his ſub- "jects of the eaſtern and ſouthern counties, to chuſe their "own commanders among thoſe gentlemen and citizens, "that were of approved loyalty, and lovers of peace, re- "quiring them at his approach, to put themſelves in arms, "and aſſiſt in this expedition, and commanding them to "ſeize ſuch places of ſtrength, as the rebels were poſſeſſed "of, and to apprehend the perſons of all ſuch as ſhould "hinder the ſettling the peace of the kingdom."

Id. p. 717. All the effect this proclamation produced, was, that the inhabitants of Somerſetſhire, where the king then was, preſented a petition to him, humbly beſeeching his majeſty, "That they might have liberty to wait upon him in per- "ſon, and, at a nearer diſtance of place, become petitioners "to both houſes, to embrace his majeſty's offers of peace; "and in caſe of refuſal, they promiſed to ſpend their lives "and fortunes, in aſſiſting him to compaſs by the ſword, "what by fair means could not be effected." But this was only a promiſed aid, and as yet too remote for the king to make any uſe of it in the preſent expedition.

The king meets with obſtructions in his march. Clarendon, T. II. p. 416, &c.

If all had happened as the king had imagined, if the people had flocked to his army, if he had been chearfully ſupplied with all neceſſaries, very probably he might have arrived at London before the parliament-forces could have been joined to form a new army. But his army, inſtead of increaſing in their march, as he expected, daily diminiſhed by fatigues, by want of money, ſhoes and ſtockings, by ſickneſs, which diſabled many of his men to follow the army.

He

When the king marched from Chard, his army conſiſted but of five thouſand five hundred foot, and about four thouſand horſe. Clarendon, Tom. II. p. 416.

He was obliged to make frequent halts in ſeveral towns to wait for money and other neceſſaries, which, he perceived, would not be ſupplied when he ſhould be removed. The horſe being diſcontented, as well at the lord Wilmot's diſgrace as at their having received no pay this campaign, he was forced to ſtay till the eaſtern counties ſhould ſupply him with money to ſatisfy them, otherwiſe he durſt not advance. Theſe delays were the reaſon that he came not to Saliſbury till the 15th of October, ſix weeks after the advantage gained in Cornwal. Then it was that he altered his reſolution, and inſtead of marching to London, contented himſelf with returning to his old quarters in and about Oxford. Nay, this project could not be executed without difficulty, conſidering the meaſures taken by his enemies. 1644. Id. p. 418. Ruſhworth, V. p. 718.

Whilſt the king was on his march, the parliament was not idle. They had provided ſix thouſand arms, and clothes for the earl of Eſſex's foot, and detached the city-brigade, conſiſting of five thouſand men [1], beſides the neceſſary recruits, to join him. Sir William Waller had taken the field again, his army being recruited and reinforced, and was now at Andover ready to march. The earl of Eſſex's horſe, which had fortunately eſcaped in Cornwal, were come to him, as well as thoſe ſent into the weſt, under the command of colonel Middleton. Thus, the earl of Eſſex ſaw himſelf in condition to march the 17th of October in order to join Sir William Waller and the earl of Mancheſter, who was within diſtance. The king having notice that Waller was to march to Reading, advanced with all poſſible diligence towards Andover, to give him battle before he had joined the earl of Eſſex. Nay, he fell upon his rear and killed twenty or thirty of his men. But this could not hinder the junction of the three armies, which was done the 21ſt of October. The parliament forms a great army. Id. p. 719. October 18.

Whilſt the king's enemies lay ſo near him, he very unadviſedly, as it ſeems, detached from his army the earl of Northampton with three regiments of horſe, to relieve Banbury-caſtle, which had been beſieged ever ſince July the 19th, and was now reduced to extremity. The earl ſucceeded in his expedition, but the king was like to pay dear for it, ſince, a few days after, he was forced to fight, deprived of the aid of theſe three regiments. His deſign, as I ſaid, Ruſhworth, V. p. 719. Clarendon, T. II. p. 418, 419, 420.

1. Commanded by Sir James Harrington, being the red and blue regiments of trained-bands of London, the red regiment of Weſtminſter, the yellow regiment of Southwark, and the yellow regiment of auxiliaries of the Tower-hamlets. Ruſhworth, Tom. V. p. 719.

1644. ſaid, was only to retire to Oxford, there being no farther reaſon to induce him to purſue his march towards London. But he would firſt beſiege Dennington-caſtle, and therefore advanced to Newbury, which lies but a mile from that caſtle, whilſt the parliament-army was at Reading. The next day, that army marched towards Newbury, where the king fortified himſelf in the beſt manner he could, and placed his foot in the intrenchments, whilſt the horſe were poſted in two adjoining open fields, and for ſome days there were frequent ſkirmiſhes between the two armies. At laſt, on the 27th of October being Sunday, the parliament-generals having divided their forces in two bodies [1], attacked the king's intrenchments at two ſeveral places. The fight, which began about three or four in the afternoon, held till night, and was extremely ſharp, each ſide repulſing the other by turns. This is all that can be gathered with any certainty from the accounts of the battle, except that when night approached, the aſſailants forced part of the intrenchments, and took ſome pieces of ordnance. But night hindered them from improving this advantage, and put an end to the fight [2].

Rushworth, V. p. 721, 722.

Second battle of Newbury. Octob. 27. Id. p. 721. Clarendon, II. p. 421. Whitelock. Ludlow.

Mean while, the king fearing the enemy would the next morning penetrate into his lines, withdrew in the night, and marched to Wallingford, leaving his heavy cannon and baggage in Dennington-caſtle. The earl of Eſſex was not in the battle. He had quitted the army ſome days before, whether on account of ſome ſudden indiſpoſition, or perhaps out of ſome diſcontent, not being able to agree, either with the earl of Mancheſter, or Sir William Waller [3].

The king retires in the night, leaving his cannon in Dennington caſtle. Rushworth, V. p. 722. Clarendon, II. p. 423.

The

[1] All the general's horſe and foot; part of Mancheſter's horſe, and moſt of Waller's forces, with the city-brigade, marched to Speen-hill; and the earl of Mancheſter's foot, and part of his horſe, continued in the field near Shaw. The horſe were commanded by Sir William Waller, and Sir William Balfour; the foot by ſerjeant-major-general Skippon. Rushworth, Tom. V. p. 721.

[2] After a long and hot diſpute (ſays Whitelock) the parliamentarians beat the king's forces from their works, and then from their ordnance, nine in number, in which atchievment they loſt a few men. Mem. p. 109. —— The parliament's army, according to the lord Clarendon, conſiſted of about fifteen thouſand horſe and foot; and the king had not half that number, Tom. II. p. 420. Whitelock ſays, he had eight thouſand foot, and five hundred horſe. Thomas Wentworth earl of Cleveland, of the king's ſide, was taken priſoner, p. 108. The king loſt three thouſand men, and the parliament two thouſand five hundred. Manley, p. 76, 77.

[3] Whitelock, upon this occaſion, ſays, the houſes being informed the lord-general was not well, and ſtayed behind the army, ſent a committee of lords and commons to viſit him, and expreſs the affections of both houſes to him. This was not (as was given out) a piece of courtſhip, but I think real. There were ſome however, who were jealous that he was too much inclined to peace, and favouring of the king

The parliament-generals, who thought themſelves victorious, ſhould, one would think, have attacked the king in his retreat, which they could not be ignorant of, it being then full-moon. They ſuffered him to march however without purſuing him [1], ſo that he ſafely arrived at Oxford. But this was not their greateſt error. The king having left his cannon, ammunition, and baggage in Denningtoń-caſtle, they could have done nothing more advantageous than to employ their whole ſtrength to take the caſtle. But they contented themſelves with ſummoning the governor [2], and, upon his refuſal to capitulate, they remained quiet at Newbury without attempting any thing againſt him. This negligence muſt have been owing to the diſſenſion amongſt them, the one blaming the other for being the cauſe, that with ſo ſuperior an army, the king's was not intirely routed. This diſſenſion grew ſo high, that whatever was propoſed by the one, was ſure to be oppoſed by the other. We ſhall ſee hereafter ſtill worſe effects of their diſcord, and the alterations it occaſioned. 1644. Diſſenſions between the parliament-generals. Whitelock. Ruſhworth, V. p. 729. Clarendon, II. p. 424.

Mean while, the king being informed of the diſcord between the parliament-generals, and of their leaving Denningtoń-caſtle unattacked, very wiſely improved ſo favorable a juncture. Some days after his arrival at Oxford, he was joined by prince Rupert, who brought him ſome horſe. He drew a body of foot out of the garriſon of Oxford, and other neighbouring towns, and the earl of Northampton rejoined him with his brigade of horſe. By means of theſe ſupplies he formed an army of ſix thouſand foot, and five thouſand horſe, with which he marched back towards Newbury the 2d of November. After the battle, the parliament-army had moved towards Oxford, but was returned to Newbury, on pretence that the ways were impaſſable. But the chief reaſon was, the generals could not agree, there being no commander in chief. They received ſome intelligence of the king's march; but would not believe it till they heard of The king returns to Denningtoń caſtle, and takes away his cannon in ſight of the enemy. Ruſhworth, V. p. 729, 730. Clarendon, II. p. 424. Ludlow.

king and his party; I think I knew as much of his mind as others did, and always obſerved him to wiſh for peace, yet not upon diſhonourable or unjuſt terms. He was a lover of monarchy and nobility, which he ſuſpected ſome deſigned to deſtroy; which humour them beginning to boil up, he reſolved to ſuppreſs. But the jealouſies upon him (who was a faithful and gallant man, and ſervant to the public) gave him great trouble in his thoughts. Mem. p. 108. See Holles's Mem. p. 21, &c.

[1] Colonel Cromwell followed the body of the army two hours before day. Whitelock, p. 109. See Ludlow, Tom. I. p. 431.

[2] Threatning not to leave one ſtone upon another. To which the governor, Sir John Boys, made no other reply, Than that he was not bound to repair it; but however, would, by God's help, keep the ground afterwards. Clarendon, Tom. II. p. 424.

1644. of his being within ſix miles of Dennington. Whereupon they reſolved to draw up the next day between Dennington and the king's army. To that end, orders were given for all their horſe to rendezvous early on the morrow, it not being poſſible to march that day by reaſon their quarters were too ſeparate and remote. But that very night the king purſued his march to Dennington, and drawing up his army, between the caſtle and Newbury, waited in that poſture to ſee what the enemy would attempt. Though preſently after the parliament-army was alſo drawn up, the generals, having viewed the poſture and ſtrength of the king's and held a council of war, judged it unſafe to ingage. So, after ſome ſkirmiſhes, the king having drawn out what he left at Dennington, marched back to Oxford, where he arrived the 21ſt of November. In his way thither, he ſent a detachment of his army to the relief of John Pawlet marquis of Wincheſter, who had been long beſieged in his own caſtle of Baſing. But this detachment found the ſiege already raiſed. Thus ended the campaign of the year 1644, which proved not ſo fatal to the king as he had reaſon to fear, though however he loſt York and all the North.

Ruſhworth, V. p. 732. Clarendon, II. p. 407, &c. 426.

It is time now to ſpeak of ſome other occurrences of the year 1644, which had no immediate relation to the war, but of which the knowledge is no leſs uſeful and neceſſary than that of conflicts and battles, though they have no connection together, nor depend upon each other.

An ordinance to forbear one meal a week.

March the 26th 1644, the parliament paſſed an ordinance, enjoining every family within the bills of mortality, for three months to forbear one meal a week, and contribute the value thereof for the public occaſions. This was properly laying a tax upon every family. For otherwiſe, very likely the parliament did not much care whether this weekly meal were forborn or not, provided the value which was to be ſet upon each perſon and family were paid.

Ruſhworth, V. p. 748.

Id. p. 749.

April the 13th an Oxford ſpy was executed in the Palace-yard at Weſtminſter.

P. 750.

The 15th of the ſame month, it was voted by the commons, that the committee of both kingdoms ſhould prepare propoſitions for peace, to be preſented to the king. Not that they deſired then to enter into a new treaty with the king, for, ſince the conferences at Oxford were broken off, nothing had paſſed to induce them to alter their plan. But herein they had a double view, firſt to let the public ſee, they pretended not abſolutely to reject peace, as they were charged by the king: Secondly, they had thereby a pretence

ready to propoſe a peace, in caſe they were forced to it by the misfortunes of war during the campaign. What confirms this to have been their chief aim, is, that theſe propoſitions, which after all were the ſame in ſubſtance with thoſe debated at Oxford, were not ſent up to the lords till the 19th of Auguſt, at the very time that the earl of Eſſex was driven into Cornwal, and not to the king till the 20th of November. 1644

Till the year 1644, the affairs of the war were ſo publickly debated in the parliament, that the king was acquainted with the reſolutions there taken, before they were begun to be executed. But this year the managers thought fit to give the committee of both kingdoms, who were charged with the affairs of the war, more power than before, that they might give their orders and cauſe them to be executed, without being obliged to communicate their reſolutions to both houſes. I do not know whether this was by expreſs vote or by mere uſurpation, the committee knowing they ſhould at leaſt be avowed by the leading-members, in caſe it was attempted to call them to an account. A conſiderable advantage indeed was hereby gained, in that the reſolutions became more private, and the king had not ſo good information. But on the other hand, the committee had by it a power which might be of very dangerous conſequence. And therefore ſeveral members complained, that the moſt important affairs were not communicated, but that the direction and management was reſerved to themſelves alone by the committee. The time for which they had been appointed being about to expire, the commons paſſed an ordinance, for the continuance of the committee three months longer, and ſent it up to the lords. But the peers inſtead of paſſing the ordinance as ſent by the commons, added a clauſe to increaſe the number of the committee, with five lords and ten commoners of their nomination [x]. It is not to be doubted, the king's private friends uſed their endeavours to increaſe the number of the committee, in hopes of being able to gain ſome one to inform them of what ſhould paſs there. But the commons foreſeeing the conſequence of this addition, refuſed to conſent to it, and deſired the lords, that they would paſs the ordinance without any amendment. The lords declining to do it for ſome time,

The parliament keep their reſolves more private.

Difference between the two houſes about the committee of both kingdoms. May 7. Rushworth, V. p. 751.

May 16. Rushworth, V. p. 710.

[x] The reaſon was, becauſe divers of the committee, eſpecially the commons, were apprehended not to be ſo much the general's friends, as others who were deſired to be brought in, and this cauſed ſome piques among them. Whitelock, p. 87.

1644. the commons found means to get the lord-mayor and common-council of London to petition them among other things, that the committee of both kingdoms might be continued as it was [1]. Then the lords perceiving, that since the city of London interposed, their resistance would be fruitless, passed
May 20. the ordinance four days after. The declarations of the city of London were a curb frequently used by the commons to stop the career of the king's friends, when by their cabals they were endeavouring to disturb their deliberations, or to sow discord between the two houses. Besides that it would have been dangerous as well as unjust to disoblige that great city, by whom the charges of the war were chiefly borne, experience had shown, that the city had infallible expedients to support their friends in the parliament. The historians of the two parties are in different sentiments on this subject. The king's adherents pretend, that in general the Londoners were for the king, and would gladly have accepted the peace he was pleased to offer them, but were over-awed by their magistrates, who were almost all devoted to the parliament. On the contrary, the parliament's friends affirm, that the number of Londoners who were for the king was far short of that of his enemies, and that the commotions now and then in the city, whether to demand peace, or to disturb the parliament's debates, were but an effect of the cabals of some private persons, who secretly adhered to the king, and endeavoured to sow dissension between the parliament and the city. That this manifestly appears in the ill success of all their attempts.

Ordinance against the members that had deserted. June 29. Id. p. 714.

There was in the London petition above-mentioned, another article of no less importance. A great many members of both houses, as I have observed, had deserted the parliament, before and after the beginning of the war. Some had taken this course out of affection to the king, and in order to serve him in his army; others by his express command, several through fear of punishment, for endeavouring to force the parliament to a peace, and perhaps, some to avoid being exposed to the outrages of the London mob. By the retreat of these members, the opposite party to the king was become so superior in both houses, that no man durst any longer oppose whatever they thought proper to move. Indeed, it would have been very fruitless for the king's new friends in the parliament to strive to support his interest.

[1] This petition, says Whitelocke, was suspected by the general's friends, to be set on foot by his enemies, and jealousy grew among the grandees of the parliament, p. 88.

intereſt. The king had therefore perceived, that his policy in diminiſhing the number of members in both houſes, inſtead of being advantageous, had, on the contrary, proved very prejudicial to him, for by that means the reſolutions againſt him paſſed in parliament with much greater eaſe. His enemies were now freed from reſtraint, and met with no farther oppoſition. The commons perceiving, that from time to time ſome of theſe members returned to London, thought not proper to admit them into the houſe, purſuant to a vote paſſed long before upon that head. They were apprehenſive, if ſuch members were admitted, the king might in time ſend them ſo great a number, as would ſuffice to obſtruct their deliberations. Mean while, to juſtify their refuſal to admit them, they ſo managed, that in the petition preſented to them by the common-council of London, was inſerted an article to deſire, That none of the members who had deſerted the parliament ſhould be received, without ſatisfaction firſt given to both houſes for their future fidelity. In purſuance of this deſire it was declared ſoon after, by an ordinance, that ſuch peers as had deſerted, or ſhould deſert the parliament, ſhould not be re-admitted without the conſent of both houſes; and that whatſoever member of the houſe of commons had ſo offended, or ſhould ſo offend hereafter, and adhere to thoſe that were levying war againſt the parliament, were and ſhould be abſolutely diſabled to ſit in the houſe of commons. By this means, ſuch as might intend to return to the parliament for the king's ſervice, had ſufficient warning, that their artifice would be without effect. 1644.

Robert Sidney earl of Leiceſter, who about this time quitted Oxford and returned to London, was not of the number of thoſe who forſook the king to do him ſervice. He had too much reaſon to be diſſatisfied with his majeſty, for amuſing him two years together, under colour of ſending him into Ireland, and for appointing at laſt the marquis of Ormond lord-lieutenant in his room. The earl of Leiceſter was however ordered into cuſtody at his coming to London; but, in all appearance, it was only to ſhow, that the new ordinance was intended to be rigorouſly executed. The earl of Leiceſter returns to London. Id. p. 715.

In January 1643-4, the ſtates-general of the United provinces, ſent ambaſſadors into England to offer their mediation, which the two houſes made no great account of, knowing what credit the prince of Orange, the king's ſon-in-law, had in theſe provinces. Beſides, the ambaſſadors, who were all ſuppoſed to be the prince of Orange's creatures, Embaſſy from the ſtates-general. Id. p. 716.

refuſed

1644. refuſed to acknowledge the two houſes of Weſtminſter for the parliament of England. In ſhort, theſe ambaſſadors, after ſeveral journies to Oxford and attempts to perſuade the parliament to accept their mediation without the previous acknowledgment required, fully owned the two houſes for the parliament of England, and preſented a memorial to offer their mediation. It muſt be obſerved, this was the next day after the news of prince Rupert's defeat at Marſton-moor [1]. As they had long delayed this acknowledgment, both houſes left them ſome time without any anſwer, being willing, doubtleſs, to intimate to them, that this mediation did not appear to them ſufficiently impartial. Wherefore the 10th of December, they demanded a public audience, which was granted, and in which they offered again the mediation of their maſters. Both houſes anſwered, that they readily accepted the mediation of the ſtates; but had already ſent propoſitions to the king for a treaty of peace, of which they were to wait the ſucceſs. That moreover, the two kingdoms of England and Scotland being united together by a ſolemn covenant, they could do nothing without the concurrence of the Scots, which would require ſome time. Thus they evaded the offers of the ſtates-general, not believing ſuch a mediation could be for their advantage.

Febr.—May.

July 6.

Ruſhworth, V. p. 720.

Holles's fine repaid him. July 23. Id. p. 722.

In July it was ordered by the houſe of commons, that the fine impoſed by the ſtar-chamber upon Mr. Denzil Holles, for his aſſerting the liberties of his country in parliament, ſhould be repaid him out of the king's revenue.

Ordinance againſt the Iriſh. Id. p. 729.

In October, an ordinance of both houſes was publiſhed, commanding, that no quarter ſhould be given to any Iriſhman taken in arms againſt the parliament.

In

[1] On June the 6th, the Dutch ambaſſadors addreſſed themſelves to the two houſes in ſuch terms as were acceptable; and it was reſolved, they ſhould be admitted to audience, which was done, July the 12th, in each houſe apart. Being brought into the houſe of peers, and chairs prepared for them, they delivered their embaſſy firſt in French, and then a copy thereof in Engliſh. Then they were conducted by the ſerjeant at arms, with two members, into the houſe of commons: when they came in, the ſpeaker and all the members ſtood up in their places uncovered, and the ambaſſadors ſaluted them as they paſſed by them; they ſat down in chairs ſet for them, and the members ſat down likewiſe; and when the ambaſſadors were covered; the ſpeaker and houſe were covered alſo. They made a ſhort ſpeech, of the affection of their maſters to theſe kingdoms, and their deſire to mediate an agreement between the king and his parliament; and after their ſpeech ended, they returned with the ſame ceremonies as at their coming thither. During the time of their being in the houſe, there lay upon the table, in their view, forty eight colours, taken from the king's forces in the battle of Marſton-moor. Ruſhworth, Tom. V. p. 716. Whitelock, p. 94.

In November, the lord Macguire, and Mac Mahone, were brought upon their trials. They were apprehended at Dublin the very day they were to ſurpriſe the caſtle, and ſent into England, where they had been confined in the Tower ever ſince. They had found means to break priſon, and conceal themſelves in a houſe in London. But unfortunately hearing a woman crying oiſters in the ſtreet, one of them put his head out of window to call her, and was that inſtant eſpy'd by a ſervant of Sir John Clotworthy, who knew him, and immediately gave notice to the lieutenant of the Tower. They were both ſeized again, and ſhortly after condemned and executed [1]. 1644. Trial of the lord Macguire, and Mac-Mahone. Id. p. 729--741. State-trials.

Since the famous William Laud archbiſhop of Canterbury had been impriſoned at the end of the year 1640, I have had but little occaſion to ſpeak of him. It is time now to relate the cataſtrophe of his life. He was accuſed by the commons of high-treaſon, December the 18th 1640, and thereupon committed to the cuſtody of the Black-rod. The 26th of February following, the articles of impeachment were brought in againſt him, and then he was ſent to the Tower. There he remained till October the 23d, 1643, when the commons having added ten freſh articles to the impeachment, he was ordered by the lords to anſwer the 30th of the ſame month. It would be too tedious to ſpecify all the petitions he preſented, and all the expedients, his council furniſhed him with, to cauſe his ſentence to be deferred. It ſuffices to ſay, that he gained time till the 11th of November 1644, on which day he ſpoke ſeveral hours together in his own defence [2]. But whether the commons were afraid, their proofs were not ſufficient for his condemnation, or the delays granted him by the lords, gave them cauſe to think, they were inclined to ſave his life, they uſed the ſame method as in the caſe of the earl of Straſford, I mean, a bill of attainder, which paſſed their houſe the ſame day the archbiſhop made his defence before the peers, with but one diſſenting vote. The bill being ſent up to the lords, they acquainted the commons at a conference that indeed they found the archbiſhop guilty of the charge as to matters of fact, but deſired ſome farther ſatisfaction in point of law, whether the matters amounted to treaſon. Whereupon the commons communicated to them the reaſons, whereby Condemnation and execution of Laud. Ruſhworth, V. p. 736, &c. Heylin. Wharton. Prynne.

[1] Hugh Oge Mac Mahone was hanged at Tyburn, Novemb. 22; and the lord Macguire, Feb. 20, 1644-5, Ruſhworth, Tom. V. p. 731, 736.

[2] His trial laſted twenty days; beginning March 12, 1643-4, and ending July 29. See State-trials.

1644. whereby they pretended to prove him guilty of that crime. Upon which the lords, the 4th of January, paſſed the bill of attainder, whereby it was ordained, he ſhould ſuffer death as in caſes of high-treaſon, and on the 6th, both houſes ordered he ſhould be executed the 10th. On the 7th, the lords at a conference informed the commons of a pardon to the archbiſhop from the king, dated the 12th of April 1643, but it was over-ruled and rejected. The ſame day, the archbiſhop ſeeing there was no remedy, petitioned the lords, that the manner of his execution might be changed to beheading. He deſired alſo, that ſome of his chaplains might be permitted to be with him before, and at, his death. The lords very readily granted his two requeſts, but the commons refuſed both, and ſent him two miniſters whom he did not aſk for, with one of thoſe he deſired. The next day he preſented a ſecond petition to be beheaded, ſetting forth, that he was a divine, biſhop, privy-counſellor, and peer; whereupon the commons were at length prevailed with. When he was upon the ſcaffold, he made a pretty long ſpeech, wherein, among other things, he inſinuated, that he ſuffered for not forſaking the temple of God, to follow the bleatings of Jeroboam's calves, alluding to the ſchiſm of the preſbyterians. He ſaid,—"He had ranſacked every "corner of his heart, and thanked God, he had not found "any ſins there deſerving death, by the known laws of the "land. The king had been traduced by ſome for labour-"ing to bring in popery, but, upon his conſcience, he "knew him to be as free from ſuch a charge, as any man "living, and held him to be as ſound a proteſtant, accord-"ing to the religion eſtabliſhed by law, as any perſon in "the kingdom. He proteſted, he never endeavoured the "ſubverſion of the laws of the realm, nor never any change "of the proteſtant religion, into popiſh ſuperſtition. He "had never been an enemy to parliaments, but did indeed "diſlike the miſ-government of one or two."—After he had prayed, the executioner did his office at one blow. His friends were permitted to take his body and bury it in Alhallows-Barking church. Such was the end of this famous prelate, who, let his favourers ſay what they pleaſe, was one of the chief authors of the troubles that afflicted England; firſt, by ſupporting with all his power the arbitrary principles, which the court ſtrove for ſeveral years, to eſtabliſh: Secondly, by a too rigid obſervance of trifles in the divine ſervice, and by compelling every one to conform thereto.

Clarendon, II. p. 441.

Jan. 10, 1644-5.

thereto. All that can be ſaid in his favour, is, that he believed in his own conſcience, this rigidneſs was neceſſary [1]. 1644.

The ſame day the lords paſſed the bill of attainder againſt the archbiſhop, they paſſed likewiſe, an ordinance, that the book of common-prayer ſhould be laid aſide, and the Directory eſtabliſhed, which had been framed by the aſſembly of divines. Hereby the church of England was rendered, by public authority, completely preſbyterian, to the great ſatisfaction of the Scots, and many of the principal members of both houſes. This was an ill preparative for the peace which was now negotiating, and of which I have deferred to ſpeak hitherto, that the narration might not be interrupted. The liturgy is aboliſhed. Jan. 4, 1644-5. Ruſhworth, V. p. 785.

[1] The managers at his trial were, Mr. Maynard, Mr. Brown, ſerjeant Wild, Mr. Nicholas, for the commons; and his council were, Mr. Herne, and Mr. Chute. The ſum of his charge was, That he had traiterouſly endeavoured to ſubvert the fundamental laws and government of the kingdom of England, and inſtead thereof, to introduce an arbitrary government. The chaplains he deſired to have with him, were, Stern, Haywood, and Martin; thoſe ſent by the commons, were, Stern, Marſhal, and Palmer. He called his laſt ſpeech a ſermon, and began with a text, Heb. xii. 1, 2. In his printed defence which he left behind him, he excuſes himſelf in moſt particulars, by ſaying, That he was but one of many, who either in council, ſtar-chamber, or high-commiſſion, voted illegal things. His diary ſhows him to be ſuperſtitious, and a regarder of dreams. He was, in the main, a learned, ſincere, and zealous man, humble in his private deportment; but withal, hot and indiſcreet, eagerly purſuing trifles, as bowing to the communion-table, ſports on the lord's-day, &c. Ruſhworth, Burnet, Whitelock.——Among other works of piety and magnificence, this great prelate built a court at St. John's college Oxon: procured king Charles to give to the clergy in Ireland all the impropriations then remaining in the crown: ſettled the impropriation of Cudſden on the biſhopric of Oxon: got Commendams annexed to the biſhopricks of the new foundation: obtained very ample charters for the univerſities of Oxford and Dublin, and regulated the ſtatutes of the former: founded an Arabic lecture at Oxford, and an hoſpital in Reading: ſet up a Greek preſs in London, &c. He deſigned other great things, of which ſee an account in Ruſhworth, Tom. II. p. 74, 75.—The tranſlator has received in a letter, the following remarks on this famous archbiſhop: the author of the letter thinks Rapin worthy of animadverſion, for ſeeming to grant (in his character, above,) moſt of the fine qualities aſcribed to him by his admirers, nobility, wiſdom, learning, and good ſenſe. "For (continues he) unleſs "giving a ſeries of the most violent "and tyrannical counſels, as proof "of wiſdom, it does not appear, "wherein his wiſdom conſiſted. Some "learning indeed he had, with a good "ſhare of ſchool-divinity, languages, "and antiquities. But theſe, of themſelves, are but very ſlender accompliſhments, affording the mind the "ſhow, rather than the ſubſtance of "knowledge, and tending more to "fortify men in their prejudices, than "to enlarge their underſtandings. "And for his good ſenſe, let his own "ſpeeches in the ſtar-chamber remain "as everlaſting proofs of it; particularly his argument to excuſe the "painter for repreſenting God like an "old man, drawn from his being "called *the antient of days*. Examine "either his actions or ſpeeches, and "there can hardly be found any thing "that looks like good ſenſe, or even "common diſcretion. His own diary "(however barbarous it was to publiſh it) ſhews him a man of a very "mean genius, a bigot, and an enthuſiaſt."

1644. The king, as hath been often ſeen, ſent meſſage upon meſſage to the two houſes, with overtures of peace; and no doubt, he would have granted it very willingly, had they been as ready to receive it in his ſenſe. But they perfectly knew, what they were to underſtand by the word peace. Beſides, at the very time the king offered to treat with both houſes, he carefully avoided uſing any term that might intimate his owning them to be a parliament. It was neceſſary therefore, if they deſired to treat with him, either that he ſhould expreſsly acknowledge them, or that they ſhould treat as private perſons without authority. But ſuppoſing they could have reſolved to do ſo, what would ſuch a treaty have ſignified? This was the pretence uſed by both houſes, during the campaign of the year 1644, not to anſwer the king's invitations. Mean while, as the king talked very much of his frequent offers to perſuade the people of his ſincere deſire of peace, and of the refuſal of both houſes, they reſolved to oblige him to explain more clearly, what he meant by peace, that the people might examine, whether he offered ſufficient ſecurity. For, as I ſaid, this was the only point in queſtion. The treaty at Oxford, where two propoſitions only were debated, not having fully cleared this matter, the two houſes thought it would be for their advantage to induce the king, by a ſecond treaty, to declare poſitively, that he would give no other ſecurity than his bare word. They hoped this would ſuffice to efface the impreſſions, his repeated offers might have made on the minds of the people.

The treaty at Uxbridge. Id. p. 787. Dugdale's view. Clarendon, II. p. 442, &c. Motives of the two houſes in propoſing a peace.

During the campaign, it was no proper ſeaſon for ſuch a negotiation, by reaſon of the variety of accidents produced by the war. It was not till November the 20th, two days after the king's return to Oxford, that the two houſes ſent him the propoſitions which had been prepared in the ſummer. They had ſent to deſire a ſafe-conduct for their commiſſioners, which the king had granted but as to private perſons, without one word to denote his conſidering them as the parliament's commiſſioners. Though the two houſes were by no means pleaſed with ſuch a ſafe-conduct, they accepted it however, and their commiſſioners repaired to Oxford, where the king arrived the day before [1]. At the firſt

The parliament ſend propoſitions to the king. Ruſhworth, V. p. 787. Whitelock, p. 112.

[1] The propoſitions having been prepared by the committee of both kingdoms, and approved of by both houſes, the commiſſioners were appointed, namely, for the peers, the earl of Denbigh, and the lord Maynard; for the commons, Mr. Pierpoint, Mr. Holles, Mr. Whitelock, and the lord Wenman; and for Scotland, the lord Maitland, Sir Charles Erſkin, and Mr. Barclay. Whitelock, p. 112.

first audience, the king asked them, 'Whether they had power to treat?' they answered, 'No; their commission was only to receive his majesty's answer in writing.' The king replied, 'Then a letter-carrier might have done as much as you.' In all appearance, he had expected, that the two houses would treat with him, without his owning them for the parliament of England, in which he was much mistaken. He heard the propositions read with great attention and patience, and then receiving them from their hands, told them, he would give them his answer. 1644.

Private conferences between the king and two of the parliament's commissioners.

Montague Bartu earl of Lindsey, who was with the king at Oxford, having sent his compliments to Holles and Whitelock, they two, with the consent of the rest of the commissioners, returned his civility by a visit. They found him indisposed, and in his bed; but he received them however in presence of several lords who were in his room. Presently after, the king came in, and had a long conference with them. He told them, "He knew that they were both "desirous of a peace, and wished, that all the rest of the "members were of their opinion; and therefore, says he, "out of the confidence I have of you two, I ask your ad- "vice, what answer will be best for me to give at this time "to your propositions, which may probably further such a "peace, as all good men desire?" Whitelock answered, "The best and most satisfactory answer, I humbly believe, "would be your majesty's presence with your parliament, "and which I hope might be without danger to you." The king perceiving they did not care to speak their minds before so much company, said, "I desire you two to go in- "to the next room, confer a little together, and set down "in writing, what you apprehend may be fit for me to re- "turn in answer to your message." Whereupon they withdrew into another room, and by Holles's intreaty, Whitelock wrote down what was their sense in this matter, and what might be fit for the substance of the king's answer. But this he did not in his usual hand, and without any name to it. The paper thus written being left upon the table, the king went in, and took it up immediately. No person was present, neither did the king admit any others to hear the discourse which passed between him and them. It cannot be denied, it was very extraordinary for these commissioners to confer in private with the king, unknown to their colleagues, to whom they imparted nothing of what had passed between the king and them. Accordingly, shortly after, the lord Savile, now made earl of Sussex, who was in the earl

Id. p. 113. Rushworth, V. p. 788.

Whitelock, p. 114, 115. Holles's Mem. p. 38.

1644. of Lindſey's room when the king came in, and who returned afterwards to the parliament, accuſed them publickly of having held private conferences with the king. But as he was not able to prove what he advanced, the thing reſted there. What I have been ſaying remained a ſecret, till Whitelock publiſhed it in his Memorials, and even there we do not find the contents of the paper written with his own hand [1]. But however, it is not impoſſible to vindicate theſe two commiſſioners, who having, doubtleſs, ſome knowledge of the plot that was now contriving, and of which I ſhall ſpeak hereafter, wiſhed that a peace might be concluded before the plot was executed. In all appearance, they adviſed the king, in order to promote a peace, to grant the parliament certain articles, otherwiſe they foreſaw peace would be impoſſible; but the king thought not fit to follow their advice [2].

The king's anſwer. Whitelock, p. 115. Ruſhworth, V. p. 789.

The next day the king ſent his anſwer ſealed up to the commiſſioners; but they refuſed to receive it, unleſs they had a copy of it. The king denied it ſome time [3], at laſt gave them a copy. The ſubſtance of it was only to demand a ſafe-conduct for the duke of Lenox and the earl of Southampton, to carry his anſwer to the propoſitions. As this paper was not directed to any perſon, nor the parliament ſo much as named in it, the commiſſioners made ſome ſcruple to receive it. They were prevailed with however, on the ſuppoſition, that the two houſes would be at liberty to make what uſe of it they pleaſed. This paper being read at a conference of both houſes, the exceptions againſt the form and want of directions were warmly debated; but, at laſt, it was carried to lay aſide all objections, and ordered that the earl of Eſſex ſhould write to prince Rupert to this effect: "That if his majeſty will ſend to the parliament of "England aſſembled at Weſtminſter, and to the commiſ- "ſioners of the kingdom of Scotland, they would with "all

The two houſes demand to be owned for the true parliament.

[1] Rapin has committed ſome miſtakes in his account of this matter, particularly he makes the paper to be written by Holles; but they are corrected in the tranſlation, with ſome ſmall additions from Whitelock's Memorials; which, though mentioned here and elſewhere by the author, he never ſaw but as quoted in Ruſhworth.

[2] Whitelock, in his ſpeech to the houſe, when accuſed by the lord Saville, ſays, the king preſſed very much the unreaſonableneſs of the propoſitions, particularly thoſe concerning religion and the militia; but he was told, that unleſs he would grant them, it would be in vain to treat of any peace, p. 154, 155.

[3] And told them, *What is the anſwer to you, who are but to carry what I ſend; and if I ſend the ſong of Robin Hood and Little John, you muſt carry it?* This, and other paſſages there were, which ſhowed the king to be then in no good humour, and it was wondered at, ſince the diſobliging the commiſſioners could be of no advantage to the king. Whitelock, p. 114, 115.

"all readineſs grant a ſafe-conduct for the duke of Rich- 1644.
"mond and the earl of Southampton." The king was extremely loth to do this; but the affair being debated in his council, none oppoſed it but himſelf. Nevertheleſs he could not be prevailed with, till after he was furniſhed with this expedient, to make a proteſtation againſt it in private, which ſhould be recorded. After that, prince Rupert's anſwer being worded as both houſes deſired, the ſafe-conduct was ſent to Oxford.

The king conſents to it with difficulty. Ruſhworth, V. p. 790.

The two lords ſent from the king being come to London, delivered the king's anſwer to both houſes [1], dated the 13th of December, containing only, That whereas he found it very difficult to return a poſitive anſwer before a full debate to their propoſitions, if the two houſes would appoint commiſſioners, he would nominate the like number to treat with them at any place that ſhould be agreed on. As the king thought a common letter-carrier might have done the office of the commiſſioners, who brought the propoſitions, ſo it might be aſked, where was the neceſſity of ſending two of the principal men of his court and council, to carry this anſwer to both houſes. But, in all appearance, the king's aim was to get information, by means of theſe two lords and his friends in London, of ſome things which he was not fully acquainted with [2]. However this be, not to dwell too long upon preliminaries, the particulars whereof are not abſolutely neceſſary, it ſuffices to ſay, that the following articles were agreed on: That the commiſſioners of both parties ſhould meet at Uxbridge: That the conferences ſhould begin the 30th of January 1644-5, and ſhould laſt twenty days: That the propoſitions, as well on the king's as the parliament's ſide, ſhould be reduced to theſe three heads, religion, the militia, and Ireland: That religion ſhould be treated upon, three days together; then the militia three days more; and after that, Ireland, as many; which done, the affairs of religion ſhould be reſumed for three days, then

Id. p. 801. Dugdale's view. p. 748.

Ruſhworth, V. p. 802, 803, 805, 807. Dugdale's view.

[1] The houſes were ſomewhat at a loſs about the manner of their delivering their meſſage, as it was directed to the Scotch commiſſioners, as well as to the parliament. But at laſt it was reſolved, that their reception ſhould be by a committee of fourteen lords, and twenty-eight commoners, and the Scotch commiſſioners, in the painted chamber. Ruſhworth, tom. 5, p. 790.

[2] Had Rapin ſeen Whitelock's Memorials, he would have found his conjecture confirmed. He ſays, both houſes deſired of the duke of Richmond, and the earl of Southampton, a liſt of their retinue, to the end no affront might be offered to them, but chiefly to diſcover ſuch as came to town with theſe lords, under pretence of being of their retinue, when they were not, but came to do ill offices to the parliament. Whitelock ſays, they were civilly treated, whereas at Oxford, he and the reſt had been ſcurvily uſed, p. 118.

1644-5. the business of the militia; and lastly, Ireland for the same time. The king's commissioners were, the duke of Richmond, the marquis of Hertford, the earl of Southampton, the earl of Kingston, the earl of Chichester, and eleven others, among whom was Sir Edward Hyde chancellor of the exchequer, afterwards earl of Clarendon [1]. Those for the parliament were twelve in number, the chief whereof were the earls of Northumberland, Pembroke, Salisbury, and Denbigh [2]; and for Scotland the principal were, the earl of Lowdon lord-chancellor of Scotland, and the marquis of Argyle [3]. I intend not to relate the particulars of this negotiation, which was transacted by papers and answers in writing, but shall content myself with mentioning the principal matters. The king's propositions were in substance the same with those he had given at Oxford, without any alteration as to the sense. The parliament's were not much different from the Oxford ones, but more large and full, and therefore I think it proper to insert them.

The propositions of the parliament, and Scotch commissioners.

Rushworth, V. p. 796. Dugdale.

"I. THAT all oaths, declarations and proclamations, "against both or either of the houses of the parliament "of England, and the late convention of estates in Scotland, "be declared null, and suppressed.

"II. That his majesty may be pleased to swear and sign "the late *solemn league and covenant*, and that an act of "parliament be passed, for enjoining the taking thereof by "all the subjects of the three kingdoms.

"III. That the bill be passed for the utter abolishing and "taking away of all archbishops, bishops, &c. and the rest "of the hierarchy, out of the churches of England and "Ireland, and dominion of Wales, with such alterations "concerning the estates of prelates, as shall agree with the "articles of the late treaty, of the date at Edinburgh, the "29th of November 1643, and joint declaration of both "kingdoms.

"IV. That the ordinance concerning the calling and "sitting of the assembly of divines, be confirmed by act of "parliament.

"V.

[1] The other ten were, the lords Capel, Seymour, Hatton, and Culpepper; secretary Nicholas, Sir Richard Lane, Sir Orlando Bridgeman, Sir Thomas Gardiner, Mr. John Ashburnham, Mr. Geoffrey Palmer; with Dr. Stewart, Dr. Lamey, and Dr. Sheldon, for religious affairs.

[2] The other eight were, the lord viscount Wenman, Denzil Holles, William Pierepoint, Sir Henry Vane, jun. Oliver St. John, Bulstrode Whitelock, John Crew, Edmund Prideaux.

[3] The other Scotch commissioners were, the lords Maitland and Balmerino, Johnston, Erskin, Dundas, Smith, Kennedy, Barclay, together with Mr. Alexander Henderson.

" V. That reformation of religion, according to the co- 1644-5.
" venant, be ſettled by act of parliament, in ſuch manner
" as both houſes ſhall agree upon, after conſultation had
" with the aſſembly of divines; and foraſmuch as both king-
" doms are mutually obliged by the ſaid covenant, to en-
" deavour the neareſt conjunction and uniformity in matters
" of religion, that ſuch unity and uniformity in religion,
" according to the covenant, as after conſultation had with
" the divines of both kingdoms, now aſſembled, ſhall be
" jointly agreed upon by both houſes of the parliament of
" England, and by the church and kingdom of Scotland,
" be confirmed by acts of parliament of both kingdoms re-
" ſpectively.

" VI. That for the more effectual diſabling Jeſuits,
" prieſts, papiſts, and popiſh recuſants, from diſturbing the
" ſtates, and eluding the laws, and for the better diſcover-
" ing and ſpeedy conviction of recuſants, an oath be eſta-
" bliſhed by act of parliament, to be adminiſtred to them;
" and refuſing the ſaid oath, being tendered in ſuch manner
" as ſhall be appointed by the ſaid act, to be ſufficient con-
" viction in law of recuſancy.

" VII. An act of parliament for education of the children
" of papiſts by proteſtants in the proteſtant religion.

" VIII. An act for the true levying of the penalties
" againſt them.

" IX. That an act be paſſed in parliament, whereby the
" practices of papiſts againſt the ſtate may be prevented,
" and the laws againſt them duly executed, and a ſtricter
" courſe taken to prevent the ſaying or hearing of maſs in
" the court, or any other part of the kingdom.

" X. The like for the kingdom of Scotland, concern-
" ing the four laſt preceding propoſitions.

" XI. That the king do give his royal aſſent,

" 1. To an act for the due obſervation of the Lord's day.

" 2. And to the bill for the ſuppreſſion of innovations in
" the worſhip of God.

" 3. And to the bill againſt the enjoying of pluralities
" and non-reſidency.

" 4. And to the following acts, for the reforming and
" regulating of both univerſities, of the colleges of Weſt-
" minſter, Wincheſter, and Eaton.

" 5. For the ſuppreſſion of interludes and ſtage-plays.

" 6. For the taking the accounts of the kingdom.

" 7. For relief of ſick and maimed ſoldiers, and of poor
" widows and children of ſoldiers.

" 8.

1644-5. "8. For raiſing of monies, for the payment and ſatisfy-
"ing of the publick debts and damages of the kingdom.

"9. For taking away the court of wards and liveries, &c.

"10. For the taking away all tenures by homage, and all fines, licenſes, ſeiſures, and pardons for alienation: "and that his majeſty will pleaſe to accept, in recompence "thereof, one hundred thouſand pounds *per annum*;

"And give aſſurance of his conſenting in the parliament "of Scotland, to an act ratifying the acts of convention of "the eſtates of Scotland, called by the council and conſervatory of peace, and the commiſſioners for the common "burdens, and aſſembled the 22d day of June 1643, and "ſeveral times continued ſince.

"1. That the perſons who ſhall expect no pardon, be "only theſe following, Rupert, and Maurice, count palatines of the Rhine, James earl of Derby, John earl of "Briſtol, William earl of Newcaſtle, Francis lord Cottington, John lord Pawlet, George lord Digby, Edward "lord Littleton, William Laud archbiſhop of Canterbury, "Matthew Wren biſhop of Ely, Sir Robert Heath, knight, "&c. and all ſuch others, as being proceſſed by the eſtates "for treaſon, ſhall be condemned before the act of oblivion "be paſſed.

"2. All papiſts and popiſh recuſants, who have been, "are, or ſhall be actually in arms, or voluntarily aſſiſting "againſt the parliaments or eſtates of either kingdom.

"3. All perſons who have had any hand in the plotting, "deſigning, or aſſiſting the rebellion in Ireland.

"4. That the members of either houſe of parliament, "who have deſerted the parliament, and concurred in the "votes at Oxford, may be removed from his majeſty's "counſels, and be reſtrained from coming within the verge "of the court, and that they may not, without the conſent "of both kingdoms, bear any office, or have any employment concerning the ſtate or commonwealth.

"5. That by act of parliament, all judges and officers "towards the law common or civil; and likewiſe all biſhops, "clergymen, and other eccleſiaſtical perſons, who have "deſerted the parliament, ſhall not be capable of any preferment or employment.

N. B. *Then follow ſeveral articles regulating the confiſcation of the goods, and the fines of ſuch delinquents as were not actually excepted in the pardon.*

"XII.

" XII. That an act be passed, whereby the debts of the 1644-5.
" kingdom, and the persons of delinquents, and the value
" of their estates may be known; and appointing in what
" manner the confiscations above-mentioned may be levied.

" XIII. That an act be passed in the parliament of both
" kingdoms respectively, for confirmation of the treaties
" passed betwixt the two kingdoms.

" XIV. That an act of parliament be passed, to make
" void the cessation of Ireland, and to settle the prosecution
" of the war in that kingdom.

" XV. That an act be passed in the parliament of both
" kingdoms respectively, for establishing the joint declara-
" tion of both kingdoms, bearing date the 30th of Janu-
" ary 1643.

" XVI. That by act of parliament, the subjects of the
" kingdom of England may be appointed to be armed,
" trained, and disciplined in such manner as both houses
" shall think fit; the like for the kingdom of Scotland.

" XVII. That an act of parliament be passed, for the
" settling the admiralty and forces at sea, and for the raising
" of such moneys for maintenance of the said forces, and of
" the navy, as both houses of parliament shall think fit;
" the like for the kingdom of Scotland.

" XVIII. And an act for the settling of all forces both
" by sea and land, in commissioners, to be nominated by
" both houses of parliament.

N. B. *Here follow the powers which those commissioners were to have.*

" That the commissioners of both kingdoms may meet
" as a joint-committee, 1. To preserve the peace betwixt
" the kingdoms. 2. To prevent the violation of the ar-
" ticles of peace. 3. To raise and join the forces of both
" kingdoms, to resist all foreign invasion. 4. To order
" the war of Ireland.

" XIX. That his majesty give his assent to what the
" two kingdoms shall agree upon, in prosecution of the ar-
" ticles of the large treaty, which are not yet finished."

" XX. That all peers, made since the day that Edward
" lord Littleton, then lord-keeper of the great-seal, de-
" serted the parliament, and that the said great-seal was
" conveyed away, being the 21st day of May 1642, and
" who shall hereafter be made, shall not sit or vote in the
" parliament of England, without consent of both houses.

" XXI. That the deputy, or chief governor, or other
" governors of Ireland, as also all the great officers of the

" crown

1644-5. "crown of England, be nominated by both houſes of par-
"liament.

"XXII. That the education of his majeſty's children "be in the proteſtant religion, and that their tutors and "governors be choſen by the parliaments of both kingdoms. "And that if they be male, they be married to ſuch only "as are of the proteſtant religion; if they be females, they "may not be married but with the advice and conſent of "both parliaments.

"XXIII. That his majeſty will give his royal aſſent to "ſuch ways and means as the parliaments of both king- "doms ſhall think fitting, for the uniting the proteſtant "princes, and for the entire reſtitution of Charles Lodwick "prince elector palatine, to his electoral dignity and domi- "nions, provided that this extend not to prince Rupert, "or prince Maurice, or the children of either of them.

"XXIV. That by act of parliament the concluding of "peace or war with foreign princes and ſtates, be with "advice and conſent of both parliaments.

"XXV. That an act of oblivion be paſſed in the par- "liaments of both kingdoms reſpectively, relative to the "qualifications in the propoſitions aforeſaid.

"XXVI. That the members of both houſes of parlia- "ment, or others, who have, during this parliament, been "put out of any place or office, for adhering to the parlia- "ment, may either be reſtored thereunto, or otherwiſe "have recompence for the ſame.

"XXVII. That the armies may be diſbanded, at ſuch "time and in ſuch manner, as ſhall be agreed upon by "the parliaments of both kingdoms.

"XXVIII. That an act be paſſed, for the granting and "confirming of the charters, cuſtoms, &c. of the city of "London, notwithſtanding any nonuſer, miſuſer, or "abuſer. That the militia of the city of London, and of "the pariſhes without, may be in the ordering and go- "vernment of the lord-mayor, aldermen, and common- "council.

"That the Tower of London may be in the government "of the city of London, and the chief officer and governor "thereof from time to time be nominated and removeable "by the common-council.

"That the citizens or forces of London ſhall not be "drawn out of the city into any other parts of the king- "dom, without their own conſent, and that the drawing "of their forces into other parts of the kingdom in theſe

"diſtracted

" diſtracted times, may not be drawn into examples for the 1644-5.
" future.

" And for prevention of inconveniences, which may hap-
" pen by the long intermiſſion of common-councils, it is
" deſired, that there be an act, that all by-laws and ordi-
" nances already made, or hereafter to be made, by the
" lord-mayor, aldermen, and common-council, touching
" the calling, continuing, and regulating of the ſame, ſhall
" be as effectual in law, as if the ſame were particularly
" enacted by the authority of parliament. And that the
" lord-mayor, aldermen, and common-council may add to,
" or repeal the ſaid ordinances from time to time as they
" ſhall ſee cauſe.

" That ſuch other propoſitions as ſhall be made for the
" city for their farther ſafety, welfare, and government,
" and ſhall be approved of by both houſes of parliament,
" may be granted and confirmed by act of parliament."

If, after the reading of theſe propoſitions, it ſhould be inquired what authority the two houſes intended to leave the king, ſuppoſing he had accepted them, it would be difficult to diſcover it. They pretended, as it evidently appears, to leave him only an empty title, and inveſt themſelves with the ſovereignty, and that, not by artifice, but openly and publickly. Their principle was, that the king having rendered himſelf unworthy, by the breach of his oaths, and of the truſt repoſed in him by the people, to hold the reins of the government, the ſupreme authority was to return to its original fountain, that is, to the people repreſented by the two houſes. Accordingly they did not pretend that the juſtice or injuſtice of theſe propoſitions ſhould be debated in the treaty of Uxbridge; for it would have been ridiculous to aſſign but twenty days for ſuch an examination; but they gave them as conditions from which they would not depart, and which the king was to embrace or reject. For this reaſon, the king's commiſſioners endeavoured in vain to enter into a diſcuſſion of the propoſitions. All they gained by that was, that the parliament's commiſſioners offered to demonſtrate by word of mouth, in private conferences, that the propoſitions were very juſt. After that, pretending to have urged ſatisfactory arguments, they coldly demanded their aſſent; though the king's commiſſioners were far from being convinced by the reaſons alledged to them. This method of proceeding baffled the king's commiſſioners, who had prepared many arguments, objections, and difficulties againſt the propoſitions, and determined to find fault with every expreſſion.

1644-5. preſſion. For, after all, the king was no more deſirous of a peace than the two houſes, as will preſently appear, and indeed it was almoſt impoſſible, conſidering the contrariety between the principles on which the two parties founded their reſpective rights. To ſay all in one word, the parliament's commiſſioners departed not from one tittle of what was contained in the propoſitions.

In the firſt place, as to religion, the need both houſes ſtood in of Scotland, and the covenant made between the two nations, allowed them not to queſtion the juſtice of that covenant, which had been now ſworn to in both kingdoms. Accordingly it may be affirmed, their commiſſioners defended this article very ill. For, to prove the neceſſity of the alterations made in religion, and in the diſcipline of the church, the confirmation whereof they demanded, the beſt argument they alledged was the covenant itſelf. It is true, in ſome conferences their miniſters were ordered to ſpeak, and endeavour to ſhow that epiſcopacy was not *jure divino*. But this did not prove the abſolute neceſſity of deſtroying it in England. All their reaſonings were built upon the pretended miſchiefs it had occaſioned. But when the king's commiſſioners propoſed to ſuffer epiſcopacy to remain, and to reform the abuſes thereof, the reaſons alledged by thoſe of the parliament not to agree to it were extremely weak [1].

For the militia, an article which included the ordering of the forces of the kingdom, the cuſtody of places, the nomination to great poſts, &c. the parliament could not depart from it, without owning, they were making war very wrongfully, ſince they pretended to do it, but in order to obtain ſuch ſecurities as they believed they had right to demand. If by a treaty, they ſhould have accepted the king's word as ſufficient ſecurity, every one would have perceived, they might have avoided the war, by accepting that ſecurity which the king had always offered before the breach. It muſt however be confeſſed, this article might very juſtly have

[1] Upon the entrance into the debate of religion, Dr. Stewart ſpoke againſt preſbyterian government, and for epiſcopal, which he alledged to be *jure divino*. Mr. Henderſon anſwered him, and aſſerted, that epiſcopacy was not ſo ſuitable to the word of God as preſbytery, which he urged to be *jure divino*. Whereupon the marquis of Hertford ſpoke to this effect: "My "lords, here is much ſaid concerning "church-government in the general; "the reverend doctors on the king's "part affirm, That epiſcopacy is *jure* "*divino*: the reverend miniſters of the "other part do affirm, That preſby- "tery is *jure divino*; for my part, I "think that neither the one nor the "other, nor any government whatſo- "ever, is *jure divino*; and I deſire we "may leave this argument, and pro- "ceed to debate upon the particular "propoſals." The earl of Pembroke, ſays Whitelock, and many of the commiſſioners, were of the ſame judgment. Whitelock, p. 128.

have been deemed a proper ſubject for a treaty. But the parliament ſeems to have firmly adhered to the article of the militia, only to lay invincible obſtacles to a peace. For it may be affirmed, that neither party deſired peace, unleſs greater advantages could be procured by a treaty than by arms. 1644-5.

As for Ireland, the two houſes thought they had upon this article ſo great an advantage, that they were glad to expoſe the king to give ill reaſons in his defence. It is therefore certain, it was not properly with deſign to make peace that the two houſes ſent their commiſſioners to Uxbridge. Their ſole aim was, to let their party ſee, they were determined to ſupport the alterations they had made in religion, and the eſtabliſhment of preſbyterianiſm: to ſhow the publick, the king, when he ſo frequently offered peace, offered only a peace very deſtructive and dangerous to the nation: laſtly, to confirm the people in their ſuſpicions, that the king did not proceed as he ought in the affairs of Ireland.

The king, on his part, was no more inclined to ſeek expedients for a peace than the two houſes. If he ſent his commiſſioners to Uxbridge, it was, firſt, becauſe having ſo often expreſſed his earneſt deſire to treat, he could not decently recede, when he was, as I may ſay, taken at his word. Secondly, he knew, it had been moved in the parliament to purſue the war more vigorouſly than ever, and that in order to do it with greater ſucceſs, ſuch alterations in the army were contriving, as could not but be diſadvantageous to him. He hoped therefore, by means of the treaty of Uxbridge to retard the execution of that project, as well as the parliament's preparations. Thirdly, he did not queſtion, but the unreaſonable demands of both houſes would produce a good effect for him in the minds of the people, becauſe they would clearly ſee, that the parliament's aim was to deſtroy entirely the worſhip of the church of England, practiſed ever ſince the reformation; to aſſume to themſelves the ſovereignty under colour of curbing the power of the crown; and, in a word, to change the conſtitution of the government in church and ſtate. But tho' he had conſented to treat upon the parliament's propoſitions, he was however reſolved never to conſent to the abolition of epiſcopacy, or diminution of the regal authority, nor to deprive himſelf of the aid he expected to receive from Ireland, by a peace with the rebels, unleſs he was firſt ſure of peace in England.

What has been advanced concerning the little inclination of both parties to peace, wants no proof with reſpect to the parliament.

1644-5. parliament. Their propoſitions, the proceedings of their commiſſioners, and the ſhort ſpace they aſſigned for the treaty, are clear evidences of it. As for the king, there are ſtill more convincing proofs. Firſt, there is not the leaſt likelihood, that in his ſituation, if he had really and ſincerely reſolved to labour for peace, he would have been willing, I won't ſay to accept, but even to liſten to propoſitions, which tended to leave him only the empty title of king, and to deprive him wholly of the exerciſe of the royal power. Had he been priſoner in the hands of the parliament, harder terms could ſcarce have been propoſed to him. And indeed, when that misfortune befel him afterwards, the parliament made very little additions to theſe terms propoſed to him at Uxbridge, when he was yet able to defend himſelf. Secondly, the intentions I aſcribe to the king, with regard to peace, are proved by ſeveral papers found in his cabinet at the battle of Naſeby, fought a few months after, and which the parliament ordered to be printed and publiſhed. I ſhall give here ſome extracts of them, becauſe they relate to the treaty of Uxbridge, of which I am now ſpeaking. I own, it is not impoſſible, theſe papers may have been curtailed or forged by the publiſhers. But a bare poſſibility, without other proofs, would not be ſufficient to take away all credit from theſe papers, the originals whereof the parliament boaſted to have in their hands. Beſides, the impartial reader can find nothing in them contrary to the genius and character of Charles I. or to the ſtate of his affairs.

Directions for my Uxbridge *commiſſioners.*

Firſt, concerning religion.

Ruſhworth, V. p. 887. &c.

" IN this, the government of the church (as I ſuppoſe) " will be the chief queſtion, wherein two things are to " be conſidered, conſcience and policy.

" For the firſt, I muſt declare unto you, that I cannot " yield to the change of the government by biſhops, not " only as I fully concur with the general opinion of Chriſ- " tians in all ages, as being the beſt, but likewiſe I hold " myſelf particularly bound, by the oath I took at my co- " ronation, not to alter the government of this church, " from what I found it. And as for the church's patri- " mony, I cannot ſuffer any diminution or alienation of it, " it being, without peradventure, ſacrilege, and likewiſe " contrary to my coronation-oath. But whatſoever ſhall " be offered for rectifying of abuſes, if any have crept in,

" or yet for the eaſe of tender conſciences, (ſo that it en- 1644-5.
" damage not the foundation) I am content to hear, and
" will be ready to give a gracious anſwer thereunto.

" For the ſecond, as the king's duty is to protect the
" church, ſo it is the church's to aſſiſt the king in the main-
" tenance of his juſt authority; wherefore my predeceſſors
" have been always careful, (eſpecially ſince the reforma-
" tion) to keep the dependency of the clergy entirely upon
" the crown, without which it will ſcarcely ſit faſt upon
" the king's head; therefore you muſt do nothing to change
" or leſſen this neceſſary dependency.

" Next concerning the militia. After conſcience, this
" is certainly the fitteſt ſubject for a king's quarrel; for
" without it the kingly power is but a ſhadow, and there-
" fore upon no means to be quitted, but to be maintained
" according to the ancient known laws of the land: yet
" becauſe (to attain to this ſo-much-wiſhed peace by all
" good men,) it is in a manner neceſſary, that ſufficient
" and real ſecurity be given for the performance of what
" ſhall be agreed upon, I permit you, either by leaving
" ſtrong towns, or other military force to the rebels poſſeſ-
" ſion (until articles be performed) to give ſuch aſſurance
" for performance of conditions, as you ſhall judge neceſ-
" ſary for to conclude a peace, provided always, that you
" take (at leaſt) as great care, by ſufficient ſecurity, that
" conditions be performed to me, and to make ſure, that
" the peace once ſettled, all things ſhall return into their
" ancient channels.

" As for Ireland, I confeſs they have very ſpecious popu-
" lar arguments to preſs this point, the gaining of no arti-
" cle more conducing to their ends than this; and I have
" as much reaſon, in both honour and policy, to take care
" how to anſwer this as any. All the world knows the
" eminent, inevitable neceſſity, which cauſed me to make
" the Iriſh ceſſation; and there remain yet as ſtrong reaſons
" for the concluding of that peace; wherefore you muſt
" conſent to nothing to hinder me therein, until a clear
" way be ſhewn me how my proteſtant ſubjects there, may
" probably (at leaſt) defend themſelves, and that I ſhall
" have no more need to defend my conſcience and crown
" from the injuries of this rebellion."

1644-5. *Memorials for secretary Nicholas, concerning the treaty at Uxbridge.*

Oxford, Feb. 1644.

"I. FOR religion and church-government, I will not go "one jot farther than what is offered by you already.

"II. And so for the militia, more than what you have al- "lowed by me; but even in that you must observe, that I "must have free nomination of the full half; as if the total "number of Scots, and all, be thirty, I will name fifteen. "Yet if they (I mean the English rebels) will be so base as "to admit of ten Scots, to twenty English, I am contented "to name five Scots, and ten English; and so proportion- "ably to any number that shall be agreed upon.

"III. As for gaining of particular persons, besides secu- "rity, I give you power to promise them rewards for per- "formed services, not sparing to engage for places, so they "be not of great trust, or be taken away from honest men "in possession, but as much profit as you will. With this "last you are only to acquaint Richmond, Southampton, "Culpepper, and Hyde."

The queen to the king.

Paris, Jan. 6. Decemb. 27, 1644-5.

"——I Understand that the commissioners are ar- "rived at London; I have nothing to say, but "that you have a care of your honour, and that if you "have a peace, it may be such as may hold; and if it fall "out otherwise, that you do not abandon those who have "served you, for fear they do forsake you in your needs: "Also, I do not see how you can be in safety without a "regiment of guards; for myself, I think I cannot be, see- "ing the malice which they have against me, and my re- "ligion, of which I hope you will have a care of both; "but, in my opinion, religion should be the last thing up- "on which you should treat: for if you do agree upon "strictness against the catholicks, it would discourage them "to serve you; and if afterwards there should be no peace, "you could never expect succours either from Ireland, or "any other catholick prince, for they would believe you "would abandon them, after you have served yourself."—

His majesty's letter to the queen.

Dear heart, Oxford, Dec. 1644.

"NOW (as a certain truth) that all, even my "own party, are strangely impatient for peace, "which obliged me so much the more, at all occasions, to

" ſhew my real intentions to peace: and likewiſe, I am 1644-5.
" put in very good hope, (ſome hold it a certainty) that if
" I ſhould come to a fair treaty, the ring-leading rebels
" could not hinder me from a good peace: firſt, becauſe
" their own party are moſt weary of the war; and likewiſe
" for the great diſtractions which at this time moſt aſſuredly
" are amongſt themſelves, as preſbyterians againſt inde-
" pendents in religion, and general againſt general in point
" of command. Upon theſe grounds a treaty being moſt
" deſirable, (not without hope of good ſucceſs) the moſt
" probable means to procure it was to be uſed, which might
" ſtand with honour and ſafety: Amongſt the reſt, (for I
" will omit all thoſe which are unqueſtionably concealable)
" the ſound of my return to London, was thought to have
" ſo much force of popular rhetorick in it, that upon it a
" treaty would be had, or if refuſed, it would bring much
" prejudice to them, and be advantageous to me; yet leſt
" fooliſh or malicious people ſhould interpret this, as to
" proceed from fear or folly, I have joined conditions with
" the propoſition (without which this ſound will ſignify no-
" thing) which thou wilt find to be moſt of the chief ingre-
" dients of an honorable and ſafe peace. Then obſerve, if
" a treaty at London, with commiſſioners for both ſides,
" may be had without it, it is not to be uſed, nor in caſe
" they will treat with no body but myſelf; ſo that the con-
" ditions ſave any aſperſion of diſhonour, and the treating
" at London, the malignity which our factious ſpirits here
" may infuſe into this treaty upon this ſubject. This I
" hope will ſecure thee from the trouble, which otherwiſe
" may be cauſed by falſe malicious rumours; and though
" I judge myſelf ſecure in thy thoughts, from ſuſpecting
" me guilty of any baſeneſs, yet I held this account neceſ-
" ſary, to the end thou may make others know, as well as
" thyſelf, this certain truth, that no danger of death or
" miſery (which I think much worſe) ſhall make me do
" any thing unworthy of thy love. ——— I conclude, by
" conjuring thee as thou loveſt me, that no appearance of
" peace, nor hopeful conditions of mine, make thee neglect
" to haſten ſuccour for him, who is eternally thine."

To the queen.

Jan. 1, 1644.

" ——— I ſhall now tell thee, That the rebels are engaged
" into an equal treaty, ——— and that the diſtractions of
" London were never ſo great, or ſo likely to bring good
" effect

1644-5. "effect as now. Laſtly, that the aſſiſtance was never more "needful, never ſo likely as now to do good to him, who "is eternally thine."

To the queen.

Dear heart, Oxford, Jan. 2, 1644.

"——AS for my calling thoſe at London a parliament, I "ſhall refer thee to Digby for particular ſatis-"faction; this is in general: If there had been but two "(beſides myſelf) of my opinion, I had not done it; and "the argument that prevailed with me was, that the call-"ing did no ways acknowledge them to be a parliament. "Upon which condition and conſtruction I did it, and no "otherwiſe, and accordingly it is regiſtered in the council-"books, with the council's unanimous approbation."——.

To the queen.

Dear heart, Oxford, Jan. 22, 1644.

"——I believe thou wilt approve of my choice of treators; "and for my propoſitions, they differ nothing in ſub-"ſtance (very little in words) from thoſe which were laſt.

"Now upon the whole matter, I deſire thee to ſhew the "queen and miniſters there, the improbability that this "preſent treaty ſhould produce a peace, conſidering the "great ſtrange difference (if not contrariety) of grounds "that are betwixt the rebels propoſitions and mine, and "that I cannot alter mine, nor will they ever theirs, until "they be out of hope to prevail by force, which a little "aſſiſtance by thy means will ſoon make them ſo; for I "am confident, if ever I could put them to a defen-"ſive (which a reaſonable ſum of money would do) they "would be eaſily brought to reaſon.

The queen to the king.

My dear heart, Paris, Jan. $\frac{27}{17}$, 1644.

"TOM Elliot, two days ſince, hath brought me much "joy and ſorrow; the firſt to know the good eſtate in "which you are, the other, the fear I have that you go to "London. I cannot conceive where the wit was of thoſe "who gave you this counſel; unleſs it be to hazard your "perſon to ſave theirs: But, thanks be to God, to day I "received one of yours by the ambaſſador of Portugal, da-"ted in January, which comforted me much, to ſee that "the treaty ſhall be at Uxbridge. For the honour of God, "truſt not yourſelf in the hands of theſe people; and if "you ever go to London, before the parliament be ended,

"or without a good army, you are loſt. I underſtand that 1644-5.
"the propoſitions for the peace muſt begin by diſbanding
"the army; if you conſent to this, you ſhall be loſt, they
"having the whole power of the militia, they have done
"and will do whatſoever they will. I received yeſterday
"letters from the duke of Lorrain, who ſends me word, if
"his ſervice be agreeable to you, he will bring you ten
"thouſand men. Dr. Goffe, whom I have ſent into Hol-
"land, ſhall treat with him in his paſſage upon this buſi-
"neſs, and I hope very ſpeedily to ſend good news of this,
"as alſo of the money; aſſure yourſelf, I will be wanting
"in nothing you ſhall deſire, and that I will hazard my
"life, that is, to die by famine, rather than not to ſend to
"you. Send me word always by whom you receive my
"letters; for I write both by the ambaſſador of Portugal,
"and the reſident of France: Above all, have a care not
"to abandon thoſe who have ſerved you, as well the bi-
"ſhops, as the poor catholicks. Adieu."—

The king to the queen.

Jan. 30.

"—THE treaty begins this day. I deſire thee to be
"confident, that I ſhall never make a peace by
"abandoning my friends, nor ſuch a one as will not ſtand
"with my honour and ſafety."—

To the queen.

Dear heart, Oxford, Feb. $\frac{15}{25}$, 1644.

"—AS for our treaty, there is every day leſs hopes than
"other, that it would produce a peace, but I will
"abſolutely promiſe thee, that if we have one, it ſhall be
"ſuch as ſhall invite thy return; for I vow, that without
"thy company I can neither have peace nor comfort with-
"in myſelf. The limited days for treating are now almoſt
"expired, without the leaſt agreement upon any one arti-
"cle; wherefore I have ſent for enlargement of days, that
"the whole treaty may be laid open to the world; and I
"aſſure thee, that thou needeſt not doubt the iſſue of this
"treaty, for my commiſſioners are ſo well choſen, (though
"I ſay it) that they will neither be threatned nor diſputed
"from the grounds I have given them, which, upon my
"word, is according to the little note thou ſo well remem-
"breſt, and in this not only their obedience, but their
"judgments concur.—

1644-5. "In short, there is little or no appearance, but that this "summer will be the hotteſt for war of any that hath been "yet; and be confident, that in making peace, I ſhall "ever ſhew my conſtancy in adhering to biſhops, and all "our friends, and not forget to put a ſhort period to this "perpetual parliament." But as thou loveſt me, let none "perſuade thee to ſlacken thine aſſiſtance for him, who is "eternally thine."

C. R.

To the queen.

Dear heart, Oxford, Feb. 19, 1644.

"I Cannot yet ſend thee any certain word concerning the "iſſue of our treaty, only the unreaſonable ſtubbornneſs "of the rebels gives daily leſs and leſs hopes of any accom-"modation this way; wherefore I hope no rumours ſhall "hinder thee from haſtening, all thou may, all poſſible aſ-"ſiſtance to me, and particularly that of the duke of Lor-"rain's, concerning which I received yeſterday good news "from Dr. Goffe, that the prince of Orange will furniſh "ſhipping for his tranſportation, and that the reſt of his "negociations goes hopefully on.—

"As for truſting the rebels, either by going to London, "or diſbanding my army before a peace, do no ways fear "my hazarding ſo cheaply or fooliſhly; for I eſteem the "intereſt thou haſt in me at a far dearer rate, and pretend "to have a little more wit."—

To the queen.

Dear heart, Oxford, March 5, 1644.

"NOW is come to paſs what I foreſaw, the fruitleſs "end (as to a preſent peace) of this treaty; but I "am ſtill confident, that I ſhall find very good effects of it: "For beſides that my commiſſioners have offered, to ſay "no more, full meaſured reaſon, and the rebels have ſtucken "rigidly to their demands, which I dare ſay had been too "much, though they had taken me priſoner, for that aſſu-"redly the breach would light foully upon them. We have "likewiſe at this time diſcovered, and ſhall make it evi-"dently appear to the world, that the Engliſh rebels (whe-"ther baſely or ignorantly will be no very great difference) "have, as much as in them lies, tranſmitted the command "of Ireland from the crown of England to the Scots, "which, beſides the reflection it will have upon theſe re-"bels, will clearly ſhew, that reformation of the church is

"not

" not the chief, much leſs the only end of the Scotch re- 1644-5
" bellion.

" But, it being preſumption, and no piety, ſo to truſt to " a good cauſe, as not to uſe all lawful means to maintain " it; I have thought of one means more to furniſh thee " with, for my aſſiſtance, than hitherto thou haſt had; it " is, that I give thee power to promiſe in my name (to " whom thou thinkeſt moſt fit) that I will take away all " the penal laws againſt the Roman catholicks in England, " as ſoon as God ſhall make me able to do it, ſo as by " their means, or in their favours, I may have ſo powerful " aſſiſtance as may deſerve ſo great a favour, and enable " me to do it. But if thou aſk what I call that aſſiſtance, " I anſwer, that when thou knoweſt what may be done for " it, it will be eaſily ſeen if it deſerve to be ſo eſteemed. " I need not tell thee what ſecrecy this buſineſs requires; " yet this I will ſay, that this is the greateſt point of confi- " dence I can expreſs to thee, for it is no thanks to me to " truſt thee in any thing elſe but in this, which is the only " thing of difference in opinion betwixt us: And yet I " know thou wilt make as good a bargain for me, even in " this, I truſting thee (though it concerns religion) as if " thou wert a proteſtant, the viſible good of my affairs ſo " much depending on it."—

To the queen.

Dear heart, Oxford, March 13, O. S.

" WHAT I told thee the laſt week concerning a good " parting with our lords and commons here, was on " Monday laſt handſomely performed: And now if I do " any thing unhandſome or diſadvantageous to myſelf or " friends in order to a treaty, it will be merely my own " fault; for I confeſs, when I wrote laſt, I was in fear to " have been preſſed to make ſome mean overtures to re- " new the treaty, (knowing there were great labourings to " that purpoſe;) but now I promiſe thee, if it be renewed, " (which I believe will not without ſome eminent good " ſucceſs on my ſide) it ſhall be to my honour and advan- " tage, I being now as well freed from the place of baſe " and mutinous motions, (that is to ſay, our mungrel par- " liament here), as of the chief cauſers, from whom I may " juſtly expect to be chidden by thee, for having ſuffered " thee to be vexed by them; Wilmot being already there, " Percy on his way, and Suſſex within few days taking his " journey to thee."—

1644-5. I shall make no other remark on these letters, than that they evidently show, the peace which the king seemed to desire so earnestly, was an empty sound which had nothing real, but as taken in his private sense of the word. I have shown on the other side, that the two houses were not more inclined to peace. Wherefore I hope my readers will not take it ill, that I forbear to enter into a long detail of the conferences at Uxbridge, where both parties sought rather to amuse the public, than expedients to conclude. I shall therefore content myself with briefly relating, how far the condescension of the two parties reached towards making that peace they seemed to wish for so ardently.

Upon the article of religion, the king's commissioners, after many disputes, consented at last to the following particulars.

The offers of the king's commissioners about religion. Rushworth, V. p. 818. Dugdale's View, p. 780.

"1. That freedom be left to all persons, of what opinions soever, in matters of ceremony, and that all the "penalties of the laws and customs which enjoin these ceremonies be suspended. (1.)

REMARK (1.) Since the penal laws were not to be abolished, but only suspended, it followed that the presbyterians could rely on that freedom no longer than it was out of the king's power to deprive them of it,

"2. That the bishop shall exercise no act of jurisdiction "or ordination, without the consent and counsel of the "presbyter, who shall be chosen by the clergy of each "diocese, out of the learnedst and gravest ministers of the "diocese [r].

"3. That the bishop keep his constant residence in his "diocese, except when he shall be required by his majesty "to attend him on any occasion, and that (if he be not "hindered by the infirmities of old age or sickness) he preach "every Sunday in some church within his diocese (3.)

REM. (3.) This was no more than the bishop's duty, and it was not for the king's honour to let this be considered as a condescension to promote the peace.

"4. That the ordination of ministers shall be always in "a public and solemn manner, and very strict rules observed, concerning the sufficiency and other qualifications "of those men, who shall be received into holy orders; "and the bishop shall not receive any into holy orders, "without

[r] Rapin leaving out the words [by the clergy of each diocese] made a needless remark, that it was not declared who was to chuse the presbyter, which is therefore omitted.

" without the approbation and conſent of the preſbyters, or 1644-5.
" the major part of them.

" 5. That competent maintenance and proviſion be eſta-
" bliſhed by act of parliament, to ſuch vicarages as belong
" to biſhops, deans, and chapters, out of the impropriations,
" and according to the value of thoſe impropriations, of the
" ſeveral pariſhes. (4.)

REM. (4.) One of the principal things urged againſt the church of England by the preſbyterians, was, that the churches were ill ſerved, becauſe the biſhops, deans, and chapters, committed the cure of thoſe which belonged to them, to inſufficient preachers for cheapneſs ſake. This abuſe, doubtleſs, ought to have been reformed, without making it one of the conditions of the peace.

" 6. That for the time to come, no man ſhall be capa-
" ble of two parſonages or vicarages with cure of ſouls.

" 7. That towards the ſettling of the public peace, one
" hundred thouſand pounds ſhall be raiſed by act of parlia-
" ment, out of the eſtates of biſhops, deans, and chapters,
" in ſuch manner as ſhall be thought fit by the king and
" the two houſes of parliament, without the alienation of
" any of the ſaid lands (5.)

REM. (5.) By the treaty between the parliament and Scotland, the lands of the biſhops, deans, and chapters were aſſigned for the payment of the Scotch troops. The king ſeemed by this conceſſion to agree, that one hundred thouſand pounds ſhould be raiſed upon thoſe lands. But in ſuppoſing likewiſe the neceſſity of the king's conſent for the applying that ſum, the Scots could not be ſure he would agree that it ſhould be aſſigned to them.

" 8. That the juriſdiction in cauſes teſtamentary, deci-
" mal, matrimonial, be ſettled in ſuch manner as ſhall
" ſeem moſt convenient by the king and the two houſes of
" parliament (6.)

REM. (6.) This conceſſion ſignified nothing, for ſince the king meant not to give up his negative vote in parliament, to ſay, that after the peace this article ſhould be ſettled by the king and the two houſes, was as much as to ſay, there ſhould be no alteration in it but what the king pleaſed.

" 9. That one or more acts of parliament be paſſed, for
" regulating of viſitations, and againſt immoderate fees in
" eccleſiaſtical courts, and the abuſes by frivolous excom-
" munications, and all other abuſes in the exerciſe of eccle-
" ſiaſtical

1645. "siastical jurisdiction, in such manner as shall be agreed upon
"by his majesty, and both houses of parliament (7.)

Remarks (7). This pretended concession is like the former; for after the peace should be made, it would be still in the king's breast to give or with-hold his assent to the reformation of the abuses; whereas the point was, to settle what ought to have been reformed.

When these concessions are compared with the parliament's demand, that episcopacy should be abolished; it is no wonder, the parliament's commissioners were not satisfied with them. Accordingly, without losing time in disputing upon these articles, they rejected them as insufficient, and offered not to qualify their demand in the least.

As to the militia, the king's commissioners, after long disputing, and alledging various arguments to show the injustice of depriving the king of one of the most essential prerogatives of the crown, and the inconveniences which would infallibly flow from thence, were willing to grant,

Offers about the militia. Rushworth, V. p. 827. Dugdale's View, p. 796.

"That all the forces of the kingdom, both by sea and
"land, should be put into the hands of twenty commis-
"sioners, ten to be named by the king, and ten by the two
"houses, and that the same thing should be done in Scot-
"land. But they would not consent, the commissioners
"for Scotland should be joined with those for England, so
"as to form one committee, or that the first should in any
"manner meddle with the affairs of England. Upon these
"conditions, they offered, that the king should be content
"that this commission should continue for three years."
But still the power of these commissioners was first to be settled, wherein there were very great difficulties.

The parliament's commissioners would not agree, that the king should name ten of the persons that were to be intrusted with the militia. Their reason was, that the point being to give the people security, they would have none, if half the commissioners were nominated by the king: nay, rather it would be a means to re-kindle the war, there being no likelihood that these commissioners, thus equally divided, would ever agree, since they would be of opposite principles. Moreover, proceeding upon the foundation of the union between England and Scotland, and upon the dangers being common to both kingdoms, they persisted to demand, that the commissioners of both kingdoms should act in common. Upon these two conditions they agreed, that the commission should continue but seven years, after having long contended

for

for an unlimited time. Thus the negotiation upon this, 1645.
succeeded no better than upon the foregoing article.

As to Ireland, the commissioners agreed upon nothing. About
The parliament's would have the cessation to be void; and Ireland,
for the future, neither peace nor truce to be made without Rushworth,
the consent of both houses. The king's, knowing his ma- V. p. 843.
jesty's mind, that he would not only maintain the cessation,
but even designed to make peace with the Irish, were far
from consenting to the parliament's demand. So, the whole
dispute turned upon this point, whether the king had power
to conclude a cessation, without the privity of the two houses,
some affirming, others denying it. On each side, the same
arguments were frequently repeated, with mutual reproaches
for several proceedings; and almost all the facts alledged by
one side, were denied by the other, so that neither of the
parties made any concession.

After a negotiation of eighteen days upon the three arti- Id. p. 851,
cles I have been speaking of, the king's commissioners desi- &c.
red, his majesty's propositions, particularly those concerning
the cessation of arms and the king's return to the parliament,
might be considered. The other commissioners answered,
that when the two houses should see the treaty like to suc-
ceed, they would consent to prolong it. The two remain- p. 865.
ing days were spent by the king's commissioners, in trying
to obtain a prolongation of the treaty, but they could not
prevail. It must be remembred, that the king's aim was to
gain time for two principal reasons: First, as he was per-
suaded, that as long as the people had any hopes of peace,
they would not easily be induced to find the parliament the
necessary supplies for the continuation of the war, and so the
preparations of the two houses would be retarded. The
second was, that he rightly judged, the parliament would
not seriously think of executing their project concerning the
army,

[1] The parliament sent an express to Uxbridge, with their vote, to propound a limitation of the militia for three years, after the three kingdoms are declared by the king and parliament to be settled in peace, or to have it settled in the parliament for seven years, after the time the king is willing to settle it. When they first treated of the militia, Sir Edward Hyde would have had it taken for granted, That the whole power of the militia, by the law of England, is in the king only. This by Mr. Whitelock was denied to be so very clear; and he undertook to make it out, That our law doth not positively affirm, where that great power is lodged, and doubted not, but to satisfy the commissioners fully in that point. Whereupon it was moved, that a day might be appointed to hear their arguments: but on account of the time, it was thought fit to lay aside the debate. The commissioners of both kingdoms, at their return from their quarters, thanked Whitelock for encountering Sir Edward Hyde, upon the point of the right of the militia, wherein he was so confident. Whitelock, p. 129, 133.

1644-5. army, whilſt there ſhould be any expectation of peace. The two houſes perceiving the kings intention, avoided the ſnare, and the conferences broke off upon the expiration of the twenty days [1].

The treaty is broke off.

The houſe of commons, or rather, a new party which had been formed in the houſe, waited only for this rupture, to execute a project which I have juſt mentioned, but of which it will be neceſſary to ſpeak here more largely, ſince the execution of this project ſerves for foundation to all the events which afterwards happened.

The ſtate of the king and parliament.

Before the parliament was aſſiſted by Scotland, the war had not been much to their advantage. The ſucceſſes of the two firſt campaigns were ſo far from anſwering their expectations, that very probably, without the aſſiſtance of the Scots, they would have been forced to make ſuch a peace as the king deſired. If in the third, the king had loſt all the North, he had made himſelf amends, by gaining almoſt all the weſtern counties, and, after the ſecond battle of Newbury, he was ſtill at Oxford, in condition to withſtand his enemies. The Scotch army, which, having ſubdued all the North, was advancing towards the middle of the kingdom, was therefore what made the balance incline to the parliament's ſide, and what, probably, was to give them the ſuperiority in the fourth campaign, for which both ſides were preparing. This aid came very ſeaſonably to eſtabliſh the affairs of the preſbyterians, who were then all-powerful in the parliament, and diſpoſed of every thing as they pleaſed. They were the men who had moſt conduced to engage the kingdom in a war, and called in the Scots, becauſe they could not hope to execute their deſigns, unleſs the parliament's arms were victorious. But before I proceed, it will be abſolutely neceſſary to make known theſe preſbyterians, who

[1] A great many of the king's friends, and particularly the earl of Southampton, went poſt from Uxbridge to Oxford, to preſs the king again and again upon their knees, to yield to the neceſſity of the times; and by giving his aſſent to ſome of the moſt material propoſitions that were ſent him, to ſettle a laſting peace with his people. The King was at laſt prevailed with to follow their counſel; and the next morning was appointed for ſigning a warrant to his commiſſioners to that effect. But when they came early next morning to wait on him, with the warrant agreed upon over-night, they found his majeſty had changed his reſolution, and was become inflexible in theſe points. This alteration was occaſioned, by a confident letter, dated February 3, which his majeſty received, a few hours before he was to ſign, from the marquis of Montroſe, giving an account of the earl of Argyle's defeat, and diſſuading his majeſty from treating with his rebel-ſubjects: becauſe, as the marquis affirmed, "he doubted not, but "before the end of the ſummer, he "ſhould be able to come to his ma"jeſty's aſſiſtance with a brave army." Welwood's Mem. p. 62, 63, 302, &c. Burnet's Hiſt.

who till then ſeemed to make but one and the ſame party, though in reality they conſiſted of two, very different from each other, both in principles and intereſts. 1644-5.

After all my pains, I have not been able to diſcover preciſely, the firſt riſe of the independent ſect or faction. Thus much is certain, their principles were very proper to put the kingdom in a flame, as they did effectually. With regard to the ſtate, they abhorred monarchy, and approved only a republican government. As to religion, their principles were contrary to thoſe of all reſt of the world. They not only were averſe to epiſcopacy, and the eccleſiaſtical hierarchy; but would not ſo much as endure ordinary miniſters in the church. They maintained, that every man might pray in public, exhort his brethren, interpret the ſcriptures, according to the talents God had endued him with; whereas very often miniſters were ordained without proper endowments, whilſt thoſe of many laymen remained uſeleſs for want of external ordination. So with them, every one prayed, preached, admoniſhed, interpreted the holy ſcriptures, without any other call than what he himſelf drew from his zeal, and ſuppoſed gifts, and without any other authority than the approbation of his auditors [1].

Different origin of the independents with regard to religion and civil government.

I cannot exactly tell, whether this ſect or faction was entirely formed at the beginning of the parliament, or whether it ſprung up during the ſeſſions. But there is, I think, a diſtinction

[1] The independents, called at firſt Congregationaliſts, owed their riſe chiefly to Goodwin, Nye, Bridge, Sympſon, and Burroughs, who tranſported themſelves into Holland for liberty of conſcience. From whence, upon the downfal of epiſcopacy, they returned to England, and addreſſed the parliament with an apologetical narrative for indiſturbance and toleration. In this apology they declare, That they conſulted the ſcriptures without any prepoſſeſſion: they look upon the word of Chriſt as impartially and unprejudicedly as men of fleſh and blood are like to do in any juncture of time, they having no temptation to any biaſs. As to church-government, they ſaid, They confined themſelves to ſcripture precept and precedent, leaving room for alterations upon farther inquiry. Purſuant to theſe grounds, they held a middle courſe between preſbytery and Browniſm. The firſt they counted too arbitrary, the other too loofe. Their main characteriſtic was, the diſallowing parochial and provincial ſubordinations, and forming all their congregations upon a ſcheme of co-ordinacy. As to the manner of their ſervice, they prayed publickly for kings and all in authority: they read the ſcriptures, and expounded the leſſons upon proper occaſions: they adminiſtred the ſacraments: they ſung pſalms, and made collections for the poor every lord's-day. Their public officers were paſtors, teachers, ruling elders, (which were eccleſiaſticks) and deacons. As for church-cenſures, they had none but admonition and excommunication. The five above-mentioned independents, were all or moſt of them members of the aſſembly of divines. Rapin ſeems to confound them with the Browniſts. See their Apologetical Narrative, and Collier's Eccl. Hiſt. Tom. II. p. 849. They were called independents, from their declaring againſt the dependency of churches: which, as is ſaid above, was their main characteriſtic.

1645. distinction to be made upon this subject. I conjecture, that the sect was already formed, with respect to civil government, and arose from the principles of arbitrary power, which James I. and Charles I. laboured to establish, but that with regard to religion, it was formed during this parliament. I build my conjecture upon this. When the long parliament began, there were but two known parties in the English church, namely, the episcopalians, or church of England men, and the presbyterians. The name of Independent was intirely unknown, and those, afterwards called independents, were certainly united with the presbyterians, and made a very considerable part of them. But they were different from the other presbyterians, as they proposed for their end to change the monarchy into a common-wealth; which cannot be imputed to the presbyterians in general. It is very true, the presbyterians were for humbling the regal power, and leaving the king only the shadow of sovereignty; but they preserved a sort of attachment to the name of king, and at least an external respect for royalty. If we examine the propositions they presented to the king at several times, we shall find them all built upon this foundation. They were in that like the Scots, who cannot justly be accused of intending to abolish monarchy, though they proposed to reduce it within very narrow bounds. The independents, after having lent their utmost assistance to diminish the regal power, in hopes thereby to attain their end, the destruction of the monarchy; perceived at last, they should not be able, without great difficulty, to accomplish their design. The reason was, because neither the English, nor Scotch presbyterians, had any inclination to establish a common-wealth, and because their whole clergy, who had a great influence in that party, were of the same principles. They judged therefore, it would be very advantageous to them, to destroy the clergy's authority, by intimating them to be unnecessary, and their vocation established upon no good foundation. Then it was that the independent sect began to be formed with regard to religion; for, there are no signs of it, till about the end of the year 1644. I own this to be only conjecture, which may be rejected, if any thing more plausible occurs.

They join at first the presbyterians.

It is no wonder therefore, that from the beginning of this parliament, the independents had earnestly contributed to put it out of the king's power to preserve his authority, but by a wary and to ruin the church of England. It is rather

rather to be conſidered, that this was the natural conſe- 1645.
quence of their principles, and a very proper means to lead them to their end. The humbling of the king, and the deſtruction of the church of England, were two points that were neceſſarily to be gained, before the eſtabliſhment of a common-wealth was endeavoured. It was not therefore proper, they ſhould ſeparate from the preſbyterians, as long as theſe concurred with them in their deſign to gain the two principal points. For that reaſon, they readily conſented to call in the Scots, and made no ſcruple to approve of the covenant, and whatever elſe was required by the Scots. The buſineſs then was to be able to reſiſt the king, who had acquired ſome ſuperiority, by the happy ſucceſs of his arms. This was the common intereſt of the preſbyterians and independents, who would have been equally ruined, if the king's party had prevailed.

Mean while, the Scotch army, in ſtrengthening alike the preſbyterians and independents againſt the king, confirmed withal to the firſt, the ſuperiority they had for ſome time enjoyed. As long as this ſuperiority laſted, it was almoſt impoſſible for the independents to attain their ends. They judged it therefore abſolutely neceſſary, to undermine the great power of the preſbyterians, not openly, for fear of being oppreſſed before they had well laid their meaſures, but ſecretly, and by artifice. To that purpoſe, the leaders of this party, as Vane, Cromwell, Tate, Haſlerig, and ſome others, began to make themſelves very popular, and to expreſs a great zeal for the public, in order to gain the good-will of the people. They had their emiſſaries every where, who diligently aggravated the faults committed ſince the beginning of the war, as well in the adminiſtration of the government, as in the military actions, and inſinuated, they were intirely to be aſcribed to the private views of the members of parliament, who poſſeſſing all the places and offices, were very unmindful to put an end to the troubles. That ſome of the generals had deſignedly miſſed opportunities of fighting with advantage; and that, in a word, the greateſt part dreaded nothing ſo much as a deciſion, either by arms or a good peace.

The independents begin to undermine the power of the preſbyterians. Clarendon, T. II. p. 465.

In ſupport of theſe rumours which were ſpread abroad, Cromwell came to the parliament at the end of the campaign, and publickly accuſed the earl of Mancheſter of not having done his duty at the battle of Newbury, and the affair of Dennington-caſtle; inſinuating, he was afraid of putting

Cromwell accuſes the earl of Mancheſter before the parliament. Ruſhworth, V. p. 732, &c.

1644-5. putting too ſpeedy an end to the war [1]. The earl anſwered by a memorial, which he preſented to the lords, and Cromwell thought not fit to proſecute his accuſation, which was properly a preparative only to begin the execution of a greater project.

Clarendon, T. II. p. 432.

Deſign of arreſting him laid aſide. Whitelock, p. 116. Ruſhworth, VI. p. 2.

This public proceeding of Cromwell raiſed a ſuſpicion, that he was one of the principal authors of the rumours which tended to render the people jealous of the parliament. There was even a conference held at the earl of Eſſex's, where it was conſidered, whether he ſhould be arreſted. But as the proofs appeared not ſufficiently clear, it was reſolved to wait till he ſhould have laid himſelf more open. Probably, ſome of thoſe that were preſent at this conference informed him of it, which made him haſten the execution of the project formed by himſelf and his friends [2].

Partiality of the parliament in the diſtribution of places.

Project of the independents.

This project was to exclude all the members of parliament from enjoying any office or command military or civil. It is certain, that from the beginning of the war, the parliament in the diſtribution of poſts, had not forgot their own members, or rather to ſay the truth, all the principal poſts were poſſeſſed by the members of one or other houſe. Hence ſprung two great inconveniencies. The firſt, that as, ſince the breach with the king, the two houſes had ruled with an abſolute ſway, the members who had poſts in the army, had ſo great influence there, that no man durſt oppoſe their ſentiments, or take notice of their faults or miſdemeanours, which by that means were always unpuniſhed. This had at length bred at the end of the laſt campaign thoſe great

[1] In that accuſation it was ſaid, that, "ſince the taking of York, the earl had declined whatever tended to further advantage upon the enemy; "neglected, and ſtudiouſly ſhifted off "opportunities for that purpoſe." Ruſhworth, Tom. V. p. 732.

[2] One evening, Maynard and Whitelock were ſent for by the earl of Eſſex; and when they came, they found him with the Scots commiſſioners, Holles, Stapleton, Meyrick, and others of his ſpecial friends. Being deſired to give their opinion, Whether Cromwell might be accuſed of being an incendiary (which was agreed upon to be one that raiſed the fire of contention in a ſtate,) they anſwered, Cromwell's great parts and intereſt in both houſes were to be conſidered, and therefore adviſed not to proceed againſt him without clear proof, becauſe it would reflect upon their honour and wiſdom, to begin ſuch a thing, and not be able to make it good. Wherefore, inſtead of accuſing him, they thought it beſt, that direction be given to collect ſuch particulars relating to him, by which it might be judged Whether they would amount to prove him an incendiary or not. The Scots liked this advice; but Holles and Stapleton were for an accuſation; Whitelock ſays, he had cauſe to believe, that ſome who were preſent informed Cromwell of all that paſſed. And after that, Cromwell, though he took no notice at that time of any thing, ſeemed more kind to Whitelock and Maynard than formerly, and carried on his deſign more actively of making way for his own advancement. Whitelock, p. 116.

great dissensions between the generals, which proved so prejudicial to the common cause. The second inconvenience was, that it was undeniably the particular interest of the members of parliament to prolong the war; since the end of the troubles, whether it happened by a decisive battle, or a treaty, would strip them of their employs. This project was therefore founded upon reasons very plausible, and apt to make impression on the people. But withal, it was of great advantage to the independents, in that the power of the presbyterian p[illegible] would be considerably lessened, and they had so well laid their measures, that they were almost sure, the vacant posts would be filled with men of their party. This was the more feasible, as hitherto the independents not having yet pulled off the mask, it was not easy to discover who were so, since they were still confounded with the presbyterians. 1644-5.

To execute this grand project, the leaders of the independents resolved to move two things in the parliament. The first, to put the army under a new model, that is, to form new regiments of horse and foot out of the present troops, so that there would be still the same officers and soldiers, but new bodies otherways composed than before. The second, that the parliament should pass an ordinance excluding the members of either house from enjoying or executing any office or command civil or military. The first was founded upon the necessity of putting an end to all factions and cabals, which might be formed in the several bodies of the army; the second, upon the necessity of demonstrating to the people, that the parliament was not influenced by private views, but preferred the public good to the interest of their own members. But the presbyterian members thereby lost at once all their posts and credit in the army. This was the true reason of the proceedings of the independents, which however they carefully concealed. The other reasons were so plausible, that they did not question they would be very agreeable to the people, who were already disposed to approve them. And therefore it was thought, several members would not venture to contradict them, for fear of raising a suspicion of their acting from motives of interest. Whitelock.

On the 9th of December 1644, these motions were made in the house of commons, at the time when the treaty of Uxbridge was preparing. The managers of the [illegible] moved Rushworth, VI. p. 3. Ludlow.

[1] The exclusion of the members from all offices, was moved first by Mr. Zouch Tate, who brought it in with a similitude of a boile upon his [illegible] thumb;

1644-5. moved to take into consideration the state of the kingdom, the reasons why the war lasted so long, and the consequences of the treaty of Uxbridge, in case it was unsuccessful. This motion being approved of, the house voted themselves into a grand committee, to debate upon these points. A general silence being kept for some time, Oliver Cromwell stood up at last, and spoke briefly to this effect:

Cromwell's speech to the house of commons. Rushworth, VI. p. 4.

"That it was now a time to speak, or for ever to hold "the tongue: the important occasion being no less than to "save a nation out of a bleeding, nay, almost dying con- "dition, which the long continuance of the war had al- "ready brought it into; so that, without a more speedy, "vigorous, and effectual prosecution of the war, casting off "all lingering proceedings like soldiers of fortune beyond "sea, to spin out a war, we shall make the kingdom "weary of us, and hate the name of a parliament. For "what do the enemy say? Nay, what do many say that "were friends at the beginning of the parliament? Even "this, that the members of both houses have got great "places and commands, and the sword into their hands, "and what by interest in parliament, what by power in "the army, will perpetually continue themselves in gran- "deur, and not permit the war speedily to end, lest their "own power should determine with it. This I speak here "to our own faces, is but what others do utter abroad be- "hind our backs. I am far from reflecting on any; I "know the worth of those commanders, members of both "houses, who are yet in power; but if I may speak my "conscience without reflection upon any, I do conceive, "if the army be not put into another method, and the war "more vigorously prosecuted, the people can bear the war "no longer, and will enforce you to a dishonourable peace. "But this I would recommend to your prudence, not to "insist upon any complaint of over-sight of any commander "in chief upon any occasion whatsoever; for as I must ac- "knowledge myself guilty of over-sights, so I know they "can rarely be avoided in military affairs; therefore waving "a strict inquiry into the causes of these things, let us ap- "ply ourselves to the remedy which is most necessary. And "I hope, we have such true English hearts and zealous af- "fections towards the general weal of our mother country, "as no members of either house will scruple to deny them- "selves, and their own private interests, for the publick "good;

thumb; and was set on by that party, who contrived the turning out of the earl of Essex. He was seconded by Sir Henry Vane and others. Whitelock, p. 118. Ludlow, Tom. I. p. 145.

"good; nor account it to be a dishonour done to them, 1644-5.
"whatever the parliament shall resolve upon in this weighty
"matter."

Cromwell was seconded by others who spoke, like him, in a general manner, without making any particular proposition. At last Zouch Tate and Sir Henry Vane moved expressly to have all members of parliament excluded from commands and offices. This motion was long debated, and at length approved by a majority of voices, and a committee was appointed to prepare an ordinance to that purpose. Two days after, this ordinance was brought into the house, and it was resolved, that the 18th of the same month should be set apart for a fast, to implore a blessing on this affair, as well as on the intended new model of the army, which had been also voted, though I could not find the day. The 14th of December this ordinance was again taken into consideration, and canvassed in a grand committee very seriously on both sides [1]. The 18th the fast was kept, and the 19th the ordinance passed the house of commons. It was called *the self-denying ordinance*, because the house in passing it, renounced their own advantages.

Motion to exclude all members from posts. Ibid. Clarendon, T. II. p. 435, 436, 466. It is approved of. Another for new modelling the army. Decemb. 11. The self-denying ordinance passes the commons. Rushworth, VI. p. 7.

The affair however was not finished till the lords had approved of the ordinance, to which they were by no means inclined. On the contrary, at a conference with the commons, they urged several reasons against it. Whereupon, the 13th of January, the whole house of commons went up to the peers with a message to press them to pass the self-denying ordinance. Nevertheless they rejected it that same day [2].

The lords reject it. January 13. Whitelock. Manley.

Notwithstanding this, the commons proceeded in forming a new model of the army, which they voted should consist, in the whole, of one and twenty thousand men, namely, six thousand horse, one thousand dragoons, and fourteen thousand foot: that the horse should be divided into ten regiments; the dragoons into ten single companies; and the foot into ten regiments of at least twelve hundred men each. After that, they appointed Sir Thomas Fairfax to be general,

The commons form the new model. Whitelock. Rushworth, VI. p. 7.

They make Sir Thomas Fairfax general.

[1] Whitelock spoke against it. See his speech in his memorials, p. 119. ——And the reasons that were given for the self-denying ordinance, see in Rushworth, Tom. VI. p. 5. It was sent up to the lords, December 9; by Mr. Pierpoint: but their lordships did not begin their debates about it till December 30, and then they committed it to eight lords, to report their opinions about it; which they having done, the lords had, on January 7, the conference here mentioned. Idem, p. 7.

[2] And here, says Whitelock, first began to increase the great difference between the two houses of parliament, which swelled to so great height, as will be seen afterwards. Whitelock, p. 123.

1644-5. ral, ſon to the lord Fairfax who commanded in the north. This done, they paſſed an ordinance for raiſing money for the maintenance of the army which was to ſerve under the command of the new general, and on the 28th of January ſent it up to the lords for their concurrence [1]. The lords ſcrupled to conſent to ſeveral articles concerning the nomination of the principal officers. But as there were but few peers, they were told, they would do themſelves unſpeakable prejudice if they pretended to oppoſe the reſolutions of the commons, and in ſhort, that their concurrence was not neceſſary. In all appearance, this made the lords paſs the ordinance the 15th of February, without any amendments [2].

January 21. Ibid. Sprigge. p. 9. Clarendon, T. II. p. 439. The lords conſent to it. Ruſhworth, VI. p. 8.

Fairfax gives in a new liſt of the new colonels. Id. p. 13.

The 19th of the ſame month Sir Thomas Fairfax, being conducted to the houſe by four members, was complimented by the ſpeaker. After that, he delivered a liſt of the colonels he had appointed, by virtue of a clauſe in his commiſſion, among whom there was not a ſingle member of parliament [3]. There was alſo upon this occaſion ſome difference between the two houſes. But after ſeveral conferences, the lords approved of the liſt the 18th of March.

It is approved.

1645. The commons at laſt get the ſelf-denying ordinance paſſed.

Thus the new model was compleated, and though the ſelf-denying ordinance had been thrown out by the lords, the commons had now obtained, by empowering the general to nominate the officers of the army, the excluſion of the members of parliament from all military poſts. This made them hope, it would not be impoſſible to cauſe their ordinance to paſs. And indeed, they reſumed the debate of it March 24, and on the 31ſt, it was ſent up to the lords for their conſent, though they had already refuſed it. Then the earls of Eſſex, Denbigh, and Mancheſter, perceiving it would be in vain to ſtrive againſt the ſtream, and that their houſe was not in condition to withſtand the commons, ſurrendered their commiſſions, and received the thanks of both houſes [4]. The next day, the 3d of April, the lords paſſed the

Eſſex, Denbigh, and Mancheſter ſurrender their commiſſions. April 2. Ruſhworth, VI. p. 15. Clarendon, T. II. p. 486.

[1] This was to be done by the monthly ſum of forty four thouſand, nine hundred and fifty five pounds, to be raiſed by aſſeſſment proportionably throughout the kingdom, every county being rated ſuch a ſum. Ruſhworth, Tom. VI. p. 1.

[2] The lords did not paſs this ordinance till April 1. See Ruſhworth, Tom. VI. p. 14.

[3] For the horſe.

Middleton,	Whaley,
Sidney,	Lively,
Graves,	Fleetwood,
Sheffield,	Roſſiter,
Vermuden,	Sir Rob. Pye.

For the foot.

Crayford,	Ingoldſby,
Berkley,	Montague,
Aldridge,	Pickering,
Holborn,	Welden,
Forteſcue,	Rainſborow.

[4] And to ſweeten the earl of Eſſex, (as Whitelocke expreſſes it, p. 121.) an order was made for the better payment of 10,000l. per annum, formerly granted to him out of delinquents eſtates.

the self-denying ordinance; and thus ended this affair, which had been depending four months [1]. 1645.

When it is considered, with what earnestness the commons proceeded in the self-denying ordinance, one is apt at first to believe, either that the number of the Independents was very superior in the house, or that the members were very disinterested. But neither of these was the case. The presbyterians ever preserved a superiority of number, which became still greater by the members excluded from their posts, who not being employed in the army or elsewhere, increased their party in the parliament. As to the disinterestedness of the members, it is not to be imagined, that men who had till now expressed such a greediness, as to monopolize, as I may say, and ingross to themselves all the places of trust and profit, should thus suddenly change from black to white, and sincerely desire to relinquish them. But the case was, they were attacked on their weak side, and so could vindicate themselves only by shewing a disinterestedness, which might at least make it doubtful, whether it was through selfishness that they had ingrossed to themselves all the offices and posts. The independents, before they discovered their design, had taken care to prepossess the people with such plausible reasons, that the parliament was in danger of being entirely deserted, if they undertook to justify their conduct, and maintain their partiality. This certainly was what caused the ordinance to pass, though it was manifestly designed to ruin the presbyterian party. For though their superiority of number in the parliament did not cease, the independents knew, that by having the army on their side, it would be in their power to obey the parliament no farther than they pleased. According to this they bent all their endeavours, as soon as things were regulated as they had projected. The new general was reckoned a zealous presbyterian, and by that the parliament had been allured to chuse him. But Cromwell had such an influence over him, that he made him do whatever he pleased. He had artfully persuaded him, that his sole view was the welfare of religion, and the good of his country, and thereby prepared him to receive his counsels, and place an entire confidence in him. For though the independent party began to show themselves very openly, they did not yet pretend

Remark on the proceedings of the commons.

Cromwell's power over the new general.

[1] Here ended (says Whitelock) the first scene of our tragic civil wars, in the exit of this brave person Essex, who being set aside, and many gallant men his officers with him, the king's party looked upon the new army, and new officers, with much contempt, and the new model was by them in scorn called the *new noddie*. *Memoirs*, p. 140.

1645. to form a ſeparate party from that of the preſbyterians, and it was more than a year before they appeared at laſt entirely unmaſked. Cromwell eſpecially, more than any other of this party, put on the appearance of a rigid preſbyterian, and ſeemed to intend only the firm eſtabliſhment of preſbyterianiſm. This was neceſſary to preſerve the confidence of the new general, and make him act according to his views, without diſcovering the end to which he meant to conduct him. But it was not yet time to make known his deſigns. There were then but two things abſolutely neceſſary for the advantage of his party. The firſt, in new modelling the army, to order it ſo, that the officers, whom the independents thought they could confide in, might keep their commiſſions, and thoſe whom they conſidered as their enemies, might be caſhiered. For as three armies were to be reduced into one, many officers would of courſe be diſmiſſed. The ſecond thing was to proſecute the war more vigorouſly than hitherto, and endeavour more ſtrenuouſly to diſable the king to maintain it. It is evident, the deſigns of the independents could not be executed but by the king's deſtruction. This was neceſſarily to be ſuppoſed, and conſequently, all riſques were to be run to put a ſpeedy concluſion to the war, as nothing could be more prejudicial to them than its continuation.

Cromwell's diſſimulation. Holles. Mem.

The general forms the new army. April 3. Ruſhworth, VI. p. 16. Sprigge. Holles.

As ſoon as Sir Thomas Fairfax had received his commiſſion from the parliament, he came to Windſor, his head quarters, and from thence ſent commiſſioners where-ever there were troops, to form the new regiments, and diſband the ſupernumerary officers. No doubt, theſe commiſſioners, who were moſtly general officers, had private inſtructions concerning the officers, they were either to continue or break, and Cromwell had framed in great meaſure theſe inſtructions, though he did not appear to be concerned. The parliament undertook this reform in a very dangerous ſeaſon [r]. It was in April, when the king was preparing to take the field. If unhappily, they had met with reſiſtance in the troops, as many were apprehenſive, and if this change had occaſioned revolts, which might eaſily have happened by the inſtigations of the diſbanded officers, they would have been without an army, at the beginning of a campaign, and conſequently unable to withſtand the king's forces. But they heard with pleaſure, that every thing was effected

[r] Major-general Skippon did much aſſiſt in this work, eſpecially in reducing five regiments of Eſſex's forces into three, amongſt which was the earl's own, that was like to prove moſt refractory. Ruſhworth, tom. 6. p. 17. Sprigge, p. 9.

effected with great tranquillity, and their orders every where perfectly obeyed. 1645.

The general remained at Windsor all April, not being able sooner to finish what was to be done to prepare the army for action. During this time, he received a letter from the committee of both kingdoms [1], informing him, that the king had sent to prince Rupert, to come and join him with two thousand horse. Wherefore, he was ordered to dispatch a party of horse towards Oxford to hinder that junction. And as the self-denying ordinance was not to take place till after forty days, namely, on the 13th of May, the charge of this service was by the committee particularly recommended to lieutenant-general Cromwell. He detaches Cromwell towards Oxford. Rushworth, VI. p. 23, 24. Sprigge.

Cromwell departing from Windsor the 24th of April, met, near Islip-bridge [2], *with a brigade of the king's horse*, consisting of the queen's, and three other regiments, and utterly routed them [3]. Then he marched to Sir Thomas Coggin's at Blechington, where colonel Windebank, secretary Windebank's son, kept a garrison for the king, and summoned the colonel with a sharp message, who immediately surrendered. The king was so incensed at his cowardice, that he caused him to be condemned by a council of war, and afterwards shot to death. Cromwel gained some other advantages in those parts, but was repulsed in an assault upon Farrington. Exploits of Cromwell: Rushworth, VI. p. 24. Sprigge. The king orders colonel Windebank to be shot. Rushworth, VI. p. 25, 26.

After the earl of Essex's disaster in Cornwall, the parliament was very weak in the western counties. They had in Dorsetshire only Poole, Lyme, and Weymouth; in Devonshire, Plymouth alone, and that besieged; and in Somersetshire, only Taunton, closely invested by Sir Richard Greenvil, and in great distress. The parliament, fearing to lose that important place, sent express orders to the general to march with his whole army and raise the siege, not considering that the midland counties would be left defenceless, just as the king was going to take the field. Mean while, Fairfax, in obedience to the orders, began his march the 30th of April, and on the 7th of May was beyond Salisbury. The king's party besiege Taunton. Clarendon, T. II. p. 491, &c. The general receives orders to relieve Taunton. Rushworth, VI. p. 25, 27.

The committee of both kingdoms having intelligence, that the king was on the 7th of May to head his army, perceived their error in sending all their forces into the west and leaving the middle of the kingdom defenceless. Wherefore He is recalled, May 6.

X 4

[1] From whom the parliament's army was generally to receive its orders. Rushworth, com. VI. p. 23.

[2] He was ordered to march beyond Oxford, as the prince was to come from about Worcester." Ibid.

[3] Her majesty's standard was taken, with two hundred prisoners. Id. p. 24.

1645. fore they diſpatched with all ſpeed an order to the general, which reached him at Blandford, to return, and ſend only a party to relieve Taunton. The general immediately obeyed, and detached colonel Welden with about five thouſand foot, and eighteen hundred horſe to Taunton, returned back to Newbury, where he ſtayed ſome days to refreſh his troops.

He ſends a party to relieve Taunton. May 8. Id. p. 28.

The ſiege of Taunton is raiſed, and renewed. May 12. Ibid. and p. 29. Clarendon, T. II. p. 510.

At the approach of the party ſent to Taunton, Sir Richard Greenvil raiſed the ſiege of that place, where relief could not come more ſeaſonably, ſo much was it preſſed. But ſhortly after, general Goring came into Somerſetſhire with three thouſand horſe, given him by the king when he heard Fairfax was marching to the weſt. Then, Greenvil joining him, they went together, and laid ſiege again to Taunton, where the party that relieved the town were ſhut up.

The king marches towards Cheſter to beſiege it. Ruſhworth, VI. p. 29.

During theſe motions of the parliament's forces, the king, on the 7th of May, took the field, and marched with about eight thouſand men towards Cheſter, to relieve the place, beſieged by Sir William Brereton [1]. But he heard by the way, the ſiege was raiſed; and having nothing more to do there, marched to Leiceſter, which he took by ſtorm the 30th of May.

He takes Leiceſter by ſtorm. Ruſhworth, VI. p. 35.

Mean time, the parliament perceiving the king was marching towards Cheſter, ſent orders to general Fairfax to beſiege Oxford. Accordingly Fairfax approached the city, and began the ſiege. But within a few days, the parliament having intelligence of the taking of Leiceſter, were apprehenſive, the king's deſign was to enter the aſſociated eaſtern counties, and therefore ordered their general to raiſe the ſiege of Oxford, and follow the king. Fairfax therefore marched away on the 7th of June. As, very likely, a battle would quickly enſue, he writ to deſire the parliament to diſpenſe with Cromwell's abſence from the houſe, and to order him to march to the army, and command the horſe, which was readily granted. Thus, Cromwell, who had been one of the moſt forward to paſs the ordinance for the excluſion of the members of parliament from all offices and poſts, civil and military, was the only perſon that kept his ſeat in parliament, and his command in the army. This would be a very honorable diſtinction for him, were there not room to ſuſpect, it was owing to his own intrigues [2].

Fairfax beſieges Oxford. May 22. P. 33.

He raiſes the ſiege, and approaches the king. p. 36, 40. Sprigge.

Cromwell's abſence diſpenſed with by order of the houſe. Ruſhworth, VI. p. 39. Clarendon, II. p. 486, 487. Holles's Mem.

Mean

[1] It was prince Rupert that adviſed the king to march into the north of England. The reſt of his council were for his marching into the weſt. See Clarendon, tom. 2. p. 501, 502.

[2] This was much ſpoken againſt by Eſſex's party, as a breach of the ſelf-denying ordinance, and a diſcovery of

1645.

Mean while, the king was very uneaſy. He was informed of the ſiege of Oxford, but did not yet know it was raiſed, and that the enemy was marching directly towards him. This made him reſolve to move towards Oxford, in order to relieve a city of ſo great importance to him. To that end, he encamped at Harborough, from whence he ſent an expreſs to general Goring, to order him to come and join him with all poſſible ſpeed. Here it was he received intelligence, that Fairfax was drawn off from Oxford, and had been repulſed with great loſs, in an aſſault upon Borſtal houſe [1]. His troops, as was uſual with them, were ſo elated at this news, that they imagined the enemies to be in the utmoſt conſternation, which ought to be improved by immediately giving them battle. The king himſelf was prepoſſeſſed with this notion, which made him contemn his enemies, and unfortunately induced him to advance to Daventry in Northamptonſhire, in a belief it would always be in his power to fight when he pleaſed, and that his enemies would never dare to attack him. Otherwiſe, he might have retired to Leiceſter, and there quietly expected the three thouſand men, colonel Gerrard was to bring him from Wales, and Goring's three thouſand horſe from the weſt. As to Goring, an accident happened, which very much conduced to haſten a battle. Fairfax had ſent a man to Oxford, who pretending to ſerve the king, had managed ſo artfully, that ſecretary Nicholas had intruſted him with a packet to general Goring, who was before Taunton. This man having diſcharged his commiſſion, Goring thought he could not employ, to carry a letter to the king, a more truſty meſſenger than the perſon ſent to him by ſecretary Nicholas. He gave him therefore a letter for the king, wherein he told his majeſty, that he hoped to be maſter of Taunton in a ſhort time, conjuring him not to engage, but to ſtand upon the defenſive, for he did not queſtion, in twelve or fourteen days to join him with the forces under his command. The king knew nothing of the letter which was brought to Fairfax. But it convinced the parliament-generals of the abſolute neceſſity of fighting, before that aid ſhould come to the king.

The king's marches. Ruſhworth, VI. p. 29, 36, 41. Clarendon, II. p. 501, 504, 506.

Ibid.

Id. p. 505.

Goring's letter to the king intercepted. Ruſhworth, VI. p. 49.

Fairfax reſolves to fight.

Purſuant to this reſolution, Fairfax continued to advance towards the king, who being better informed of the number and deſigns of his enemies, reſolved to retire to Leiceſter.

The king reſolves the ſame. Clarendon, II. p. 506.

To

of the intentions to continue whom they pleaſed, and to remove others from commands, notwithſtanding their former ſelf-denying pretences. Whitelock, p. 145.

[1] In Buckinghamſhire, held by the livery of a horn. Colonel Campion was governor of it. Idem, p. 146.

1645. To that purpoſe, he began to march towards Harborough, where his van arrived, whilſt the reſt of the army was yet above two miles behind. That ſame night, he heard the enemies were within ſix miles of Harborough, and indeed general Ireton, Cromwell's ſon-in-law, had now fallen upon ſome of the king's quarters, and taken ſeveral priſoners. Whereupon it was reſolved at a council of war, held in the night, to march back and meet the enemy, conſidering the impoſſibility of going to Leiceſter, without expoſing the rear to certain deſtruction. So, the king returning in the morning, the 14th of June, met the parliamentarians, who upon news of his march had drawn up near Naſeby. Here was fought the fatal battle that decided the quarrel between the king and the parliament.

Rushworth, VI. p. 41. Whitelock.

Battle of Naſeby, in Northamptonſhire. June 14. Clarendon, II. p. 507. &c. Rushworth, VI. p. 42. &c. Whitelock. p. 150. Spigge.

Prince Rupert commanded the right wing of the king's army, and Sir Marmaduke Langdale the left. Sir Jacob Aſtley [1] led the main body of the foot, and the king was at the head of the reſerve of horſe [2]. On the parliament's ſide, the right wing of horſe was commanded by Cromwell, the left by Ireton. General Fairfax, and major-general Skippon, were both at the head of the main-body, the firſt on the right, and the other on the left [3].

Prince Rupert began with charging the left wing, commanded by Ireton, and after a long conflict, wherein he met with great reſiſtance, broke that body of horſe, put them to flight, and chaſed them almoſt to Naſeby town [4]. In his return, he loſt ſome time in trying to become maſter of the parliament's artillery. He even ſummoned the train, but, they being well defended with fire-locks, and a rear guard, and he without foot, he could not execute his deſign.

At the ſame time, Cromwell was ingaged in a very obſtinate fight with Sir Marmaduke Langdale, but at length the king's horſe took to flight, and were purſued about a quarter of a mile. After that, Cromwell leaving a party of horſe to oppoſe the king's, in caſe they ſhould rally, returned

[1] Lately created lord Aſtley of Reading.

[2] Though Rapin quotes Ruſhworth, he has followed the diſpoſition of the army, as related by Clarendon. For both Ruſhworth and Whitelock ſay, the king commanded the main body himſelf, Sir Jacob Aſtley, with the earl of Lindſey, the right-hand reſerve, and the Lord Bard and Sir George L'iſle the left. Ruſhworth, Tom. VI. p. 42. The king's forces, according to the lord Clarendon's computation, were in all but about ſeven thouſand four hundred men. Tom. II. p. 506.

[3] The reſerves were brought up by col. Rainſborough, Hammond, and Pride. Ruſhworth, Tom. VI. p. 42.

[4] Ireton had his horſe killed under him, was run through the thigh, wounded in the face with a pike, and made priſoner, but found means to eſcape upon the turn of the battle. Whitelock, p. 150.

turned with ſpeed to the field of battle, where his aſſiſtance was very much wanted by his friends. 1645.

The parliament's foot were ingaged with the king's, and began to be preſſed in ſuch a manner, that they were in great diſorder. Cromwell, who was returned victorious, changed the face of the battle, by charging the king's infantry in flank, who could not ſtand ſo vigorous an attack. Fairfax and Skippon, took advantage of this aſſiſtance to rally their troops, who had been roughly uſed at the beginning of the battle [1], and at laſt, the king's foot were ſo routed, that there was no poſſibility of rallying them.

In the mean time, the prince not being yet returned from the chace, the king was, with his reſerve of horſe, unable to charge Cromwell, who was ſtronger than himſelf, and was alſo re-joined by the party he had left behind. As ſoon as prince Rupert was returned with his victorious horſe, and had joined the reſerve, the king uſed his utmoſt endeavours to perſuade them to charge once more the enemy's horſe, not queſtioning, that if he could put them to rout, he ſhould afterwards eaſily vanquiſh the foot. But he could not prevail with them to make a ſecond charge [2]. This is not very ſtrange, ſince it could not be done without manifeſt danger. Fairfax, Skippon, and Cromwell, without loſing time in purſuing the king's diſperſed infantry, had ſpeedily rallied their troops. They faced the king's horſe, and prepared to receive, or to charge them. So, to renew the fight, the king muſt, with one ſingle wing of horſe, and his ſmall body of reſerve, have fallen upon the enemies army, which wanted only the wing that was routed. This the

[1] Fairfax had his helmet beat off, but however, rid up and down bare-headed. Whereupon, colonel Charles D'oyley told him, he expoſed himſelf to too much danger, and offered him his helmet, but he refuſed it, ſaying, "It is well enough, Charles." Then he ordered him to charge a body of the king's foot, which ſtood unbroken in the front, whilſt he would do the ſame in the rear, and meet him in the middle. Which was done accordingly. In this charge Fairfax killed the enſign, and one of D'oyley's troopers took the colours, bragging, he had killed the enſign, for which D'oyley chiding him, Fairfax ſaid, "Let him alone, I have "honour enough, let him take that "honour to himſelf." Skippon being wounded in the beginning of the fight, was deſired to go off the field, but he anſwered, "He would not ſtir "as long as a man would ſtand." Whitelock, p. 151.

[2] Here the lord Clarendon makes the following remark. This difference, ſays he, was obſerved all along in the diſcipline of the king's troops, and of thoſe under Fairfax and Cromwell, that though the king's troops prevailed in the charge, they ſeldom rallied themſelves again in order, nor could be brought to make a ſecond charge the ſame day. Whereas the other troops, if they prevailed, or though they were beaten, preſently rallied again, and ſtood in good order, till they received new orders. The ſame thing, he ſays, was not obſervable in the forces under Eſſex and Waller. Clarendon, Tom. II. p. 508.

1645. the cavaliers clearly perceived, and was what hindered them from obeying the king's orders. At the same time, an accident happened, which induced them to take to flight, or furnished them with a pretence. Robert Dalziel earl of Carnewarth, seeing the king, notwithstanding the unwillingness of his own troops, bent upon charging the enemies, rode up to him and said, 'Sir, *will you go upon your death* 'in an instant?' And withal, laying hold of the king's bridle, turned his horse to the right. The king's cavalry, seeing his majesty's horse turned, without knowing the cause, took occasion to disband, and rode upon the spur without looking behind them. So, the king was also forced to retire, and leave his enemies masters of the field. All his infantry were so dispersed, that the enemies took as many prisoners as they pleased. He lost his whole train of artillery, all his bag and baggage, with his cabinet, wherein were his most secret papers and letters, which the parliament were so cruel as to print and publish, particularly his letters concerning the treaty of Uxbridge, of which the reader has before seen some extracts. After this, he was never more able to bring a considerable army into the field. It is said, there were not slain on the king's side above six hundred men, but amongst them were more than one hundred and fifty officers; and besides, the enemy took above five thousand prisoners [1].

Clarendon, II. p. 508.

The king is entirely routed.

His cabinet of papers taken.

Clarendon, II. p. 508.

Rushworth, VI. p. 44. Ludlow.

The king and prince Rupert that same day retreated by Leicester to Ashby de la Zouch, from whence, after a few hours refreshment, they continued their march with their horse in very great disorder to Hereford, where they parted. Prince Rupert hasted to Bristol, to prepare the city for a siege, there being great likelihood, it would quickly be attacked. The king retired into Wales, and made some stay at Ragland-castle, not despairing of being able to form another army in those parts. The reason is unknown, why he was bent, contrary to all appearance, upon raising a new army in Wales, and the neighbouring counties, instead of marching

He retires into Wales, Ibid. Clarendon, II. p. 509. 522. and prince Rupert to Bristol.

[1] Whitelock says, that on the parliament's side were wounded and slain above a thousand officers and common soldiers; and, that the king showed himself this day a courageous general, keeping close with his horse, and in person rallying them to hot encounters. Mem. p. 151. This battle was fought in a large fallow field, on the north-west side of Naseby, about a mile broad: there are now no signs of fight remaining, excepting some few holes, which were the burying places of dead men and horses. This town is said by some, to stand upon the highest ground in England. Addit. to Camden.——June 17, the day after the parliament received the news of this victory, both houses were feasted by the city of London at Grocers-hall, and after dinner they sung the 46th psalm, and so parted. Whitelock, p.

marching into the weſt with his horſe, where he had a ſtrong body of troops, under the command of Goring and Grenvil, with which he might have long continued the war. 1645.

Mean while, Fairfax advanced towards Leiceſter, which ſurrendered by capitulation, four days after the battle of Naſeby. Then, he marched with all ſpeed to the weſt, where it was very neceſſary to lead the army, as well to relieve Taunton and the party there ſhut up, as to reduce to the obedience of the parliament the weſtern counties, which were all for the king. At the approach of the army, Goring raiſed the ſiege of Taunton [1], and in few days was defeated by Fairfax at Langport, who killed many of his men, took twelve hundred horſes, and fourteen hundred priſoners [2]. This victory was followed with the taking of Bridgewater, Bath, and Sherburn, after which, Fairfax laid ſiege to Briſtol.

Leiceſter ſurrenders to Fairfax. June 17. Ruſhworth, VI. p. 50. He marches into the weſt. p. 51. Taunton is relieved, and Goring defeated. p. 54.—65. Clarendon, II. p. 517. &c. Whitelock, p. 158.

It was univerſally expected, prince Rupert would, according to cuſtom, perform wonders in the defence of this city, which was ſtrongly garriſoned [3] and well ſtored with proviſions and ammunition. Nay, the prince himſelf had ſent the king word, he hoped to hold out at leaſt four months. And yet, the parliament-army approaching the lines drawn about the place, and repulſing ſeveral ſallies, the prince, upon the firſt ſummons, agreed to capitulate. Fairfax came near the lines the 23d of Auguſt, and the capitulation was ſigned the 10th of September, before the beſiegers had approached the walls. When the king heard, prince Rupert had ſurrendered Briſtol in this manner, he was ſo enraged at it, that he ordered him by a letter to depart the kingdom, and revoked all his commiſſions. The prince publiſhed a manifeſto in vindication of his conduct. But he did not ſufficiently demonſtrate the neceſſity of ſurrendering ſo ſoon a place of ſuch importance [4].

Fairfax beſieges Briſtol. Aug. 22. which ſurrenders upon terms. Sept. 11. Ruſhworth, VI. p. 65—88. Clarendon, II. p. 532. The king diſmiſſes prince Rupert. Id. p. 536. Ruſhworth, VI. p. 69.

Immediately after the taking of Briſtol, Fairfax marched again to the weſt, as well to relieve Plymouth which was ſtill inveſted [5], as to ſubdue all thoſe counties to the parliament. But to prevent the miſchiefs incurred by the earl of Eſſex

Fairfax's progreſs in the weſt. Id. p. 89. Sprigge.

[1] Sir John Digby, brother to Sir Kenelm Digby, on the king's ſide; and on the parliament's, colonel Lloyd, and colonel Richbel, were killed during this ſiege. Ruſhworth, Tom. VI. p. 54.

[2] Whitelock ſays, there were nineteen hundred priſoners, and two thouſand horſe taken, p. 159.

[3] The garriſon was ſaid to be nine hundred horſe, two thouſand five hundred foot, and fifteen hundred auxiliaries. Idem. p. 167.

[4] He came afterwards to the king at Newark, to vindicate himſelf. See Clarendon, Tom. II. p. 554. And in November, obtained a paſs from the parliament to go beyond ſea. Whitelock, p. 178, 179.

[5] And had been ſo for two years. Idem. p. 126.

1645. Eſſex the laſt year, for want of an open communication with London, he ordered Cromwell, with a party of horſe, to take ſuch places as might hinder that communication. He alſo detached colonel Rainſborough to beſiege Berkley-caſtle, the only garriſon the king had between Gloceſter and Briſtol. He went himſelf to Bath the 17th of September, where he remained till his orders were executed.

Sept. 21. Rushworth, VI. p. 90. Cromwell with his party appeared before the caſtle of the Devizes in Wiltſhire, ſituate in the road of traffick between London and the weſtern counties. The governor Sir Charles Lloyd made a ſhow of defending himſelf, but however capitulated on the morrow. The ſame day Cromwell detached colonel Pickering, who became maſter of Laycock-houſe, where was a garriſon of the king's kept by colonel Bovile. After that, Pickering rejoined the army, as did colonel Rainſborough, Berkley-caſtle having been ſurrendered by the governor Sir Charles Lucas upon articles.

Sept. 23.

p. 91. Clarendon, II. p. 479—487. &c. September the 26th, the general called a council of war, where it was reſolved that the army ſhould march farther weſtward. But as the prince of Wales, the king's eldeſt ſon, was in thoſe parts with Goring's, Grenvil's, and ſome other troops, which altogether made a conſiderable body, the general was apprehenſive of meeting many difficulties in that expedition, and therefore thought it incumbent upon him to ſecure the communication with London. To that purpoſe, he detached Cromwell once more with orders to endeavour to take the caſtle of Wincheſter, and then Baſing-houſe, which had been twice beſieged in vain.

Rushworth, VI. p. 91.

Cromwell, with his wonted activity, marching directly to Wincheſter, took the city and caſtle upon articles. A complaint being made by ſome of the garriſon that they were plundered in their marching out, he cauſed ſtrict inquiry to be made after the offenders, of whom ſix were found and condemned to die. After lots caſt for their lives, he, whoſe lot it was, was executed; and the other five were ſent to Sir Thomas Glemham governor of Oxford, to be puniſhed as he pleaſed. But the governor ſent them back with an acknowledgment of Cromwell's juſtice and civility.

p. 92.

p. 93. From Wincheſter, Cromwell advanced to Baſing, the houſe of the marquis of Wincheſter, which he having fortified kept garriſon there for the king[1]. As he refuſed to ſurrender,

[1] He had withſtood ſeveral ſieges: declaring, that if the king had no more ground in England than Baſing-houſe, he would adventure as he did, and hold it out to the laſt extremity. For which reaſon the houſe was called *loyalty*. Rushworth, Tom. VI. p. 93.

surrender, he was so suddenly and briskly assaulted, that the place was carried by storm, and himself taken prisoner and sent to London. After that, Cromwell took Lanford-house near Salisbury, which surrendered upon articles. 1645. p. 94.

In the mean time, Fairfax pursuing his march into the west, came before Tiverton. It was resolved at a council of war to storm the town: but whilst they were consulting how to order the attack, a round-shot happened to break the chain of the draw-bridge, which falling down, the soldiers, without waiting for orders, possessed themselves of the town. Ibid. Octob. 15. Octob. 19.

After that, the army marched towards Exeter, the capital of Devonshire. But as this place was strong and well garrisoned, and the season not proper for so important a siege, it was resolved to block it up till it could be invested in form. p. 95. Octob. 28.

Whilst the general was employed in ordering the blockade, which held till December, and in building necessary forts on the east-side of the Ex, the prince of Wales had time to assemble all the king's forces in those parts, with the militia of Cornwal, and form an army of eight thousand men. Fairfax hearing the enemies were preparing to march against him, resolved to prevent them by advancing towards them. He made such speed that he surprised a brigade of their horse, commanded by the lord Wentworth, and took between three and four hundred horses. This obliged the king's generals to proceed with more caution, raise the blockade of Plymouth, to strengthen their army, and pass the Tamar, in order to retire into Cornwal. The prince of Wales assembles an army in the west. Rushworth, VI. p. 95. Fairfax marches towards him. Jan. 8. p. 96. The prince retires into Cornwal.

The prince's retreat into Cornwal gave Fairfax opportunity to attack Dartmouth, a sea-port of great consequence, which he took by storm, the season not allowing him to besiege it in form. Fairfax takes Dartmouth. Jan. 18.

After all these advantages, Fairfax returned to Exeter, and finished the blockade of that city. Shortly after, he left the command of it to Sir Hardress Waller, and went himself to meet the lord Hopton, who was marching to the relief of Exeter, at the head of seven or eight thousand men. General Goring being withdrawn into France, the prince of Wales had given the command of his army to the lord Hopton. Fairfax approaching the enemies, heard the lord Hopton was intrenched in Torrington, to oblige him either to attack him thus advantageously posted, or to keep the field in a very rainy season, in a country where there were few villages to shelter his army from the weather. Fairfax having weighed the inconveniencies of leaving the enemies He completes the blockade of Exeter. Id. p. 99. Sprigge. Clarendon, II. p. 483, &c. 559. Rushworth, VI. p. 100.

1645. thus intrenched, reſolved to attack them. To that end, he advanced within a mile of Torrington, and poſſeſſed himſelf of ſome poſts, with deſign to ingage on the morrow. But in the night Hopton's troops attempting to diſlodge the parliamentarians, and theſe receiving aſſiſtance from the army, the battle began inſenſibly, and held almoſt the whole night. In ſhort, after a long conflict in the dark, the lord Hopton's intrenchments were forced, and himſelf obliged to retire with his horſe and only four or five hundred of the four thouſand foot, he had before the battle. Thus all his infantry were ſlain or taken, or ſo diſperſed, that it was not poſſible for thoſe that eſcaped to rejoin their general, who was retired into Cornwal [1].

and defeats the lord Hopton at Torrington. Feb. 18, 1645-6. Id. p. 99. Clarendon, II. p. 563.

He follows him into Cornwal. Feb. 18. Ruſhworth, VI. p. 103, 104. Sprigge. Clarendon, II. p. 564.

After this freſh victory, Fairfax judged, his main buſineſs was, utterly to deſtroy the enemies horſe that eſcaped from Torrington, conſiſting of three thouſand, and to hinder them from joining the king. Inſtead therefore of returning to Exeter, he reſolved to march into Cornwal with his whole army. He ſet out the 23d of February, and ſeizing the paſſes of the river Tamar, left there ſtrong guards, as alſo in all places where he thought the enemies might try to paſs, in caſe they intended, as was very likely, to join the king. The lord Hopton finding Fairfax was advancing towards him, and not being able to fight him, quitted Bodmin, where he had poſted himſelf, and retired farther weſtward. Mean while, Fairfax ſtill advanced, taking all poſſible care to guard all the paſſes by which the enemy might eſcape him.

The prince of Wales retires to Scilly. Id. p. 565. Ruſhworth, VI. p. 104, &c.

The approach of the parliament-army cauſed the prince of Wales to reſolve to ſecure his perſon by retiring into Scilly, where he ſafely arrived [2]. Mean while, the lord Hopton was extremely embaraſſed, and the more, as the people of the county who before were devoted to the king, began to alter their minds, and even voluntarily offered themſelves to general Fairfax, to block up the paſſes and hinder the king's forces from eſcaping. At laſt, the parliament-army approaching Truro, where Hopton had his head-quarters,

[1] There were not above five hundred ſlain, the greateſt part were diſperſed. Among the colours were taken the lord Hopton's own, with this motto, I will ſtrive to ſerve my ſovereign king. Ruſhworth, Tom. VI. p. 103.

[2] The king his father, by two letters dated Novemb. 7, and Decemb. 7, ordered him, as ſoon as he ſhould find himſelf in a probable danger of falling into the enemy's hands, to retire into Denmark, or ſome other place beyond ſea. See Clarendon, Tom. II. p. 546, 547. The prince, on April 16, 1646, embarked for Jerſey, where he landed the next day, and from thence paſſed into France. Idem. Tom. III. p. 3, 4.

quarters, Fairfax ſent and offered him honourable terms if he would capitulate. Whilſt he waited for an anſwer, he ſtill advanced towards the enemies, and beating up one of their quarters, took three hundred horſes. In ſhort, not to deſcend to unneceſſary particulars, I ſhall content myſelf with briefly ſaying, that the lord Hopton ſeeing himſelf ſurrounded on all ſides, and deſpairing to eſcape, agreed to capitulate. By the treaty, ſigned the 14th of March, it was agreed, that all the forces under the command of the lord Hopton, ſhould within ſix days be diſbanded, with leave to go beyond ſea, or to their homes. That all the horſes and arms ſhould be delivered to general Fairfax, and upon performance thereof, each trooper ſhould receive twenty ſhillings, or his horſe. That paſſes ſhould be given to ſuch as deſired to go beyond ſea, upon their promiſing not to bear arms any more againſt the parliament of England [1]. There were ſeveral other articles, which it is needleſs to ſpecify, as they concerned only the manner how the treaty was to be executed [2]. The lords Hopton and Culpepper retired to Scilly before the treaty was ſigned. Thus the king's army in the weſt was intirely diſperſed. After this, Fairfax returns before Exeter, which was ſurrendered upon articles the 9th of April 1646. With the taking of that city, Fairfax ended his weſtern expedition, which could not be more glorious to him, or more advantageous to the parliament, ſince the king had neither towns nor forces left in the country.

1645-6.

Hopton's army capitulates. March 14. Id. p. 110, &c. Sprigge. Clarendon, II. p. 566.

Ruſhworth, VI. p. 261, 265. Exeter ſurrenders to Fairfax. Sprigge. p. 236.

It is time now to ſee what paſſed in the reſt of the kingdom, whilſt the parliament-army was employed in reducing the weſtern counties.

The Scotch army having taken Newcaſtle in October 1644, divided themſelves in two bodies, one whereof beſieged Carliſle, which ſurrendered upon articles in June 1645.

What the Scots did in England in 1645. Ruſhworth, VI. p. 118. p. 220.

The other part of the army durſt not ingage in a ſiege, becauſe the marquis of Montroſe, who ſerved the king in Scotland, having had great ſucceſs there, it was to be feared, the king would think of ſending him reinforcements. Wherefore the Scots always kept in a readineſs to oppoſe it. This became

[1] Thoſe that ſtayed in England, as well foreigners as others, were to bind themſelves for ever; but thoſe that went beyond ſea, only for three years not to bear arms againſt the parliament. Ruſhworth, Tom. VI. p. 114.

[2] Colonel Trevanion, then with his regiment at Perin, ſent to deſire to be included in the treaty, as did alſo the governor of St. Maw's caſtle, that commands Falmouth-haven. Ruſhworth, Tom. VI. p. 108.

1645-6. became ſtill more neceſſary after the battle of Naſeby, there being great likelihood of the king's reſolving to join the earl of Montroſe with his cavalry. Beſides, the Scots by keeping thus in the middle of the kingdom, prevented the king from making new levies in thoſe parts. At laſt, after the taking of Carliſle, the two bodies being rejoined, they beſieged Hereford about the end of July. But after having in vain carried on the ſiege above a month, they raiſed it in the beginning of September. The earl of Leven their general publiſhed, on this occaſion, a ſort of apology, wherein, among other things, he ſaid, that for ſix or ſeven months paſt, they had received but one month's pay: that they had been promiſed to be ſupplied with all things neceſſary for a ſiege: in which they had been extremely diſappointed, ſince they had received but three pieces of cannon, with fifty ball to each: that they had but few horſe, and being informed the king was marching towards them with three thouſand horſe, it was impoſſible to continue the ſiege. Laſtly, that general Leſley was obliged to go into Scotland with his whole party of horſe and dragoons, to oppoſe Montroſe.

They beſiege Hereford, p. 122. but in vain. Id. p. 123.

After the ſiege of Hereford was raiſed, the Scoth army retired into Yorkſhire, complaining pretty openly of being intirely neglected. Whereupon, the parliament aſſigned them thirty thouſand pounds, provided they appeared before Newark upon the firſt of November, and ordered that the eaſtern aſſociation ſhould pay them fourteen hundred pounds a week. The Scots agreeing to theſe terms, the ſiege of Newark was begun about the end of October 1645, and laſted till May 1646.

They ſit down before Newark. Id. p. 126.

In July, Ponfret-caſtle was ſurrendered to the parliament, and four days after, that of Scarborough capitulated alſo, having maintained a long ſiege under Sir Hugh Cholmley, in which Sir John Meldrum was killed.

Ponfret and Scarborough ſurrender upon articles. Id. p. 118.

I left the king in Wales after the battle of Naſeby, where he was employed in ſeeking means to raiſe a new army. As to the diſpoſing of his perſon, it was hardly poſſible for him to come to any reſolution, before he knew what his enemies intended to do after their victory. But when he ſaw general Fairfax, with his army, ingaged in the weſtern counties, he departed from his retreat with his cavalry; conſiſting of three thouſand horſe. As the parliament had but very few forces in the midland parts, the king came without danger to Lichfield, and from thence, entering the aſſociated eaſtern counties, took Huntington, where he met with a great

The king leaves Wales. Id. p. 116. Clarendon, II. p. 534.

He takes Huntington. Aug. 24.

booty,

booty, after which he came to Oxford [1]. From thence he departed in three days, taking with him what forces could be ſpared, and marched to Cambden. 1645-6. Aug. 28.

The parliament, thinking the king's deſign was to relieve either Briſtol or Hereford, which were both beſieged at the ſame time, gave orders to major-general Pointz and colonel Roſſiter to aſſemble what forces they could, and diligently attend the king's motions. Accordingly they drew together about two thouſand horſe, and poſted themſelves between the king and Oxford. But at the ſame time, the Scots having raiſed the ſiege of Hereford of their own accord, the king marched thither, where he continued till the 20th of September. Here he received the news of the ſurrender of Briſtol. He comes to Hereford. Ruſhworth, VI. p. 116, 117. Clarendon, II. p. 535.

About the ſame time, colonel Jones, with adjutant-general Louthian, who ſerved the parliament, beſieging Beeſton-caſtle, drew off thence on a ſudden a party of thirteen hundred men, and went to ſurpriſe Cheſter, in which they partly ſucceeded. But as they had not ſufficient forces to become maſters of the reſt of the city, they were content to keep what they had got, expecting Sir William Brereton, who was to bring them a ſupply. As the king then expected a body of troops from Ireland, which could land but at Cheſter, this city was of ſo great conſequence to him, that he immediately marched to diſlodge the enemies from that part, they had in their power. He was no ſooner on his march, but Pointz cloſely followed him, and overtook him on Routon-heath within two miles of Cheſter, which obliged him to turn againſt his purſuers. The fight at firſt was pretty obſtinate, but as the king had five thouſand, and Pointz only two thouſand men, Pointz was briſkly repulſed, and put into great diſorder. Mean while, juſt as the king thought himſelf intirely victorious, Jones and Louthian came from Cheſter with eight hundred men, and falling upon the king's rear, forced them to turn againſt them. This gave Pointz time to rally his men, and then charge the king's army, who finding themſelves at once attacked before and behind, were at laſt utterly routed, with loſs of ſix hundred men, and a thouſand priſoners. Bernard Stewart earl of Lichfield, and ſome other officers of quality were killed. The king marches to the relief of Cheſter. Ruſhworth, VI. p. 117. Clarendon, II. p. 549. Ruſhworth, VI. p. 117. Clarendon, II. p. 550. Whitelock. He is routed,

It was with great difficulty that the king, with the remains of his army, got into Denbigh-caſtle in Wales, where he continued ſome time; after which, with a party of about three thouſand men, he came to Newark in Nottinghamſhire. He ſtayed in that town till fearing to be beſieged and retires into Wales. Clarendon, II. p. 550, &c. 557.

[1] Where the day before died the lord-keeper Littleton. Idem. p. 116.

1645-6. beſieged by the Scots, who were approaching, he went away by night, and ſafely arrived at Oxford the 6th of November, there being no other remedy left than to make a peace with the parliament.

He comes about to Oxford. Ruſhworth, VI. p. 118.

But this peace was not eaſy to be made. The king would have willingly granted, in the preſent ſituation of his affairs, ſomething of what he had before refuſed, but did not care to yield all. The parliament, on their ſide, were willing to make peace like conquerors, and by aggravating the terms inſtead of rendering them more tolerable.

The king's friends in London put him in hopes of a peace. Clarendon, II. p. 572, &c.

Mean while, notwithſtanding the difficulties which were naturally to occur in the concluſion of a peace, the king's friends at London made him hope, that the diſſentions between the preſbyterians and the independents might turn to his advantage. It was intimated to him, that the preſbyterians were inraged to ſee the independent party daily increaſe in number and ſtrength, and that it was not doubted, but if he could obtain leave to come and treat in perſon with the two houſes, the presbyterian members would find means to conclude a peace, in order to be freed from the yoke of the independents: That the city of London was almoſt wholly presbyterian; that the king had there alſo many friends, and if the parliament expreſſed an inclination to peace, which was very likely, it would not be in the power of the independents to prevent the concluſion. This was all very well; but they ſhould have firſt explained what was to be underſtood by the word peace. Very probably, the parliament, or presbyterian party, which ſtill prevailed, would have very gladly conſented to a peace, if the king had been willing to grant two points, which were conſidered by them as abſolutely neceſſary, namely, the abolition of epiſcopacy, and ſufficient ſecurity for the performance of his promiſes. For in theſe two points conſiſted the parliament's ſcheme for a peace. But this was not the king's ſcheme. He always meant that ſuch a peace ſhould be made as he deſired, and which I have often explained. It is true, that in his preſent circumſtances he was willing, with regard to the ſecurity, to grant ſomething more than what he had yet offered: but nothing could prevail with him to conſent to the abolition of epiſcopacy. So, by ever preſerving the ambiguity in the term peace, he imagined if he could obtain liberty to come and treat at London with the two houſes, it would not be impracticable, with the help of his friends, to force the parliament to make peace

with him in his ſenſe of the word, though nothing was further from the intention of both houſes. 1645-6.

In this belief, the 5th of December, he demanded of the two houſes a ſafe-conduct for the duke of Richmond, the earl of Southampton, John Aſhburnham, and Jeffery Palmer, Eſquires, who were to bring propoſitions for a peace. The king tries in vain to bring the parliament to a peace. Ruſhworth, VI. p. 215, 216.

The 15th of the ſame month he renewed his demand, complaining of his having received no anſwer.

The 26th he ſent them a third meſſage, wherein he ſaid: Clarendon, II. p. 573, &c.

"That conceiving the former treaties had hitherto proved ineffectual, chiefly for want of power in thoſe perſons that treated, as likewiſe, becauſe thoſe from whom their power was derived, could not give ſo clear a judgment as was requiſite; if therefore he might have the engagement of the two houſes at Weſtminſter, the commiſſioners of the parliament of Scotland, the mayor, aldermen, common-council, and militia of London; of the chief commanders in Sir Thomas Fairfax's army, as alſo of thoſe in the Scots army, for his free and ſafe coming to, and abode in London or Weſtminſter for the ſpace of forty days; he would come and have a perſonal treaty with the two houſes of parliament at Weſtminſter, and the commiſſioners of the parliament of Scotland, upon all matters which might conduce to the reſtoring of peace and happineſs to his kingdoms.

"He declared beforehand, that he was willing to commit the great truſt of the militia, for ſuch time, and with ſuch powers, as were expreſſed in the paper delivered by his commiſſioners at Uxbridge, to thirty perſons he named. But if this did not ſatisfy the parliament, then he offered to name the one half, and leave the other to the election of the two houſes."

Before the two houſes received this laſt meſſage, they had ſent the following anſwer to the two firſt:

"That finding that former treaties had been made uſe of for other ends, under the pretence of peace, and had proved dilatory and unſucceſsful, they could not give way to a ſafe-conduct, according to his majeſty's deſire. But both houſes of the parliament of England, having under their conſiderations, propoſitions and bills for the ſettling of a ſafe and well-grounded peace, which were ſpeedily to be communicated to the commiſſioners of the kingdom of Scotland, did reſolve, after mutual agreement of both kingdoms, to preſent them with all ſpeed to his majeſty." Decemb. 25. Ruſhworth, VI. p. 217.

1645-6. The king replied, the 29th of December. He complained that a ſafe-conduct was denied for the perſons he intended to ſend. He inſiſted upon his demand of a perſonal treaty, and deſired an anſwer to his meſſage of the 26th. He ſaid, he ſhould never have thought of coming to London, if it was not his ſincere intention to make peace.

Id. p. 218.

The 15th of January 1645-6, he ſent another meſſage to both houſes, wherein he complained of not having an anſwer: he ſaid, "That what he earneſtly deſired was "peace, and the means, his perſonal preſence at Weſtmin-"ſter; where the government of the church being ſettled "as it was in the times of queen Elizabeth, and king "James, and full liberty for the eaſe of their conſciences "who would not communicate in that ſervice eſtabliſhed "by law, and likewiſe for the free and publick uſe of the "directory, to ſuch as ſhould deſire to uſe the ſame; and "all forces being agreed to be disbanded, his majeſty would "then forthwith join with his two houſes of parliament, in "ſettling ſome way, for the payment of the publick debts "to his Scotch ſubjects, the city of London, and others. "And having propoſed a fair way for the ſettling of the "militia, he would endeavour, upon debate with his two "houſes, ſo to diſpoſe of it, as likewiſe of the buſineſs of "Ireland, as might give them and both kingdoms ſatis-"faction. Not doubting alſo, but to give good content-"ment to his two houſes of parliament in the choice of the "lord-admiral, the officers of ſtate, and others."

Id. p. 219.

The 13th of January 1645-6, two days before the date of the laſt meſſage, both houſes had returned an anſwer to that of the 29th of December.

"That there had been a great deal of innocent blood of "his ſubjects ſhed in the war, by his majeſty's commands "and commiſſions.

"That there had been Iriſh rebels brought over into "both kingdoms, and endeavours to bring over more, as "alſo forces from foreign parts.

"That his majeſty was in arms in thoſe parts, and the "prince at the head of an army in the weſt; there were "alſo forces in Scotland againſt that parliament and king-"dom, by his commiſſion; and the war in Ireland was fo-"mented and prolonged by his majeſty.

"That until ſatisfaction and ſecurity was firſt given to "both kingdoms, his majeſty's coming to the parliament "could not be convenient, nor by them aſſented unto.

"That

" That they could not apprehend it a means conducing 1645-6.
" to peace, that his majeſty ſhould come to his parliament
" for a few days, with any thoughts of leaving it, eſpecially
" with intentions of returning to hoſtility againſt it.

" That his majeſty deſired the engagement not only of
" his parliaments, but of the lord-mayor of London, &c.
" which was againſt the privileges and honour of the par-
" liaments, thoſe being joined with them, who were ſub-
" ject, and ſubordinate to their authority.

" That the only way for the obtaining an happy and
" well-grounded peace, was, for his majeſty to give his
" aſſent to thoſe propoſitions that ſhould be ſent to him.

" That there was not ſo much as any mention of Scot-
" land."

The king, in a reply to this anſwer, greatly complained Jan. 17.
of the aſperſions caſt upon him by both houſes, and reproach- Id. p. 220.
ed them in his turn. He inſiſted upon an anſwer to his meſſage of the 15th of December, ſaying, " No rational
" man could think their laſt paper, to be any anſwer to his
" former demands."

But the 24th of the ſame month, he ſent a farther reply to every particular article of that anſwer. The ſubſtance whereof was:

1. *That a great deal of innocent blood had been ſpilt.*

That is the very reaſon why he preſſeth that there ſhould be no more (1.)

REMARK (1.) The meaning of this objection of both houſes was, that there having been a great deal of blood ſpilt in the war, it was reaſonable the authors thereof ſhould be puniſhed, and that the king continuing to protect them, it was neceſſary to proſecute the war till he ſhould be obliged to deliver them to juſtice. So, the king's general reply upon this article anſwered not the objection.

2. *That he had cauſed ſome Iriſh to repair to his aſſiſtance.*

He anſwered, that thoſe whom they called Iriſh, were indeed (for the moſt part) ſuch Engliſh proteſtants as had been formerly ſent into Ireland by the two houſes, and unable to ſtay there any longer, by the neglect of thoſe that ſent them thither, who ſhould have better provided for them (2).

REM. (2.) The objection did not relate to the Engliſh forces, the king had ſent for from Ireland. The two houſes were far from giving theſe ſoldiers the name of Iriſh. But they meant the Iriſh papiſts entertained by the king in his army, and particularly ten thouſand men which the earl

1645-6. of Glamorgan was to bring over. The king feigned not to underſtand the two houſes, and made an evaſive anſwer to the objection.

3. *That the prince was at the head of an army.* The king anſwered, it was no great wonder, ſince there was yet no peace.

4. *That he deſired to come to his parliament but for a few days.* He anſwered by proteſting, that he ſought that treaty to avoid future hoſtility, and procure a laſting peace (3).

REM. (3.) The parliament did not queſtion it: but they thought the king would come to London only to compel, by means of his friends, both houſes to make ſuch a peace as he deſired. So, this general anſwer was not capable of giving them ſatisfaction.

5. *That the engagements which his majeſty had deſired for his ſecurity, were a breach of privilege.* The king anſwered, that whoſoever ſhould call to mind the particular occaſions that enforced him to leave the city of London and Weſtminſter, would judge his demand very reaſonable and neceſſary for his ſafety. But he no way conceived how the lord-mayor, aldermen, &c. of London, were either ſubject or ſubordinate to the authority of the two houſes.

6. *That he had made no mention of Scotland.* He anſwered, it was included in his former, and had been particularly mentioned in his latter meſſage of the 15th.

Laſtly, He deſired a poſitive anſwer to his former meſſages.

Ruſhworth, VI. p. 222. The 29th of January, the king ſent another meſſage to both houſes, wherein he expreſsly diſavowed the earl of Glamorgan, concerning the treaty with the Iriſh rebels: And ſaid, "That that earl having made offer unto him to raiſe "forces in the kingdom of Ireland, and to conduct them "into England for his majeſty's ſervice, he had granted him "a commiſſion to that purpoſe, and to that purpoſe only: "But that he had no commiſſion at all to treat of any thing "elſe, without the privity and directions of the lord-lieutenant. And this clearly appeared by the lord-lieutenant's "proceedings with the ſaid earl, who had orders to call "him to an account (4).

REM. (4). The diſguiſe uſed by the king on this occaſion will manifeſtly appear in what will be ſaid preſently concerning this treaty.

The king added, "That if the two houſes would admit "of his repair to London for a perſonal treaty, ſpeedy no"tice ſhould be given him thereof, and a ſafe-conduct with

"a

" a blank ſent for a meſſenger to be immediately diſpatched 1645-6.
" into Ireland, to ſtop the concluſion of the peace, the
" lord-lieutenant being empowered to treat and conclude it.

" That he would leave the management of the buſineſs
" of Ireland wholly to the two houſes, and make no peace
" there but with their conſent, in caſe his endeavours in
" the treaty ſhould be bleſſed with ſucceſs.

" That if his perſonal repair to London ſhould be ad-
" mitted, and a peace thereon enſue, he would then leave
" the nomination of the perſons to be intruſted with the
" militia, wholly to his two houſes, with ſuch power and
" limitations as were expreſſed in the paper delivered by his
" majeſty's commiſſioners at Uxbridge the 6th of February
" 1644-5.

" That if the peace ſucceeded, he would be content,
" that *pro hac vice*, the two houſes ſhould nominate the
" admiral, officers of ſtate, and judges, to hold their places
" during life, or *quamdiu ſe bene geſſerint*, to be accountable
" to none but the king and the two houſes of parliament.

" That as for matter of religion, he intended, that all
" proteſtants ſhould have the free exerciſe of their religion
" according to their own way.

" That upon the concluſion of peace there ſhould be a
" general act of oblivion and free pardon.

" And this to extend to Scotland.

The king had never made ſuch advances before, and yet all his endeavours to obtain a ſafe-conduct were fruitleſs. The two houſes were ſo perſuaded of his ability in the choice of his expreſſions, which were commonly ambiguous, and capable of a different ſenſe from what appeared at firſt ſight, that they could not reſolve to treat with him upon his own propoſitions. Beſides, they did not doubt, but the overture of a perſonal treaty was deſigned for a ſnare to force them to ſuch a peace as he deſired. They ſent therefore to his ſeveral meſſages no other anſwer than what has been ſeen. So, this ſort of negotiation, of which the king expected a happy event, only left things juſt as they were.

Both houſes, as we have ſeen, reproached the king, that he was now endeavouring to bring Iriſh troops into England; the king did not diſown it, but denied the giving of the earl of Glamorgan power to treat with the rebels upon any other article. This was literally true, but the king took care not to diſcover the whole extent of this article, and yet both houſes were perfectly informed of it, as will hereafter appear. To underſtand fully the objection and anſwer,

The king's project to make peace with the rebels. Id. p. 238. Cox, Part II. p. 134.

1645-6. anſwer, it will be neceſſary to relate what paſſed in Ireland upon this ſubject. This is not one of the leaſt curious points of the reign of Charles I, though the lord Clarendon has thought fit to paſs it over in ſilence.

Ruſhworth, V. p. 895, 920. The ceſſation made by the king with the Iriſh rebels, had not intirely ſuſpended hoſtilities in that Iſland. Murrough O Bryen lord Inchiquin, who commanded in Munſter for the parliament, and major-general Monroe, who was at the head of the Scots in Ulſter, had refuſed to accept of the ceſſation [r]. On the other hand, the Engliſh forces drawn by the king out of Ireland, had been intirely ruined and diſperſed in England. Thus the king had reaped no advantage by the ceſſation, the motives whereof he had concealed with all poſſible care. He had pretended, he was indiſpenſably obliged to conclude it, in order to ſave the Engliſh from the utter deſtruction they were threatned with, by the ſuperiority of the rebels and the parliament's neglect to ſend ſupplies into Ireland. But when theſe Engliſh troops were ſeen to come into England, it was eaſy to perceive the true reaſon of the ceſſation.

The king not having reaped from this artifice all the advantage he expected, deſiſted not from the deſign of making uſe of the aſſiſtance of the Iriſh to continue the war againſt the parliament. On the contrary, he formed the project of a peace with the rebels, in order to employ, not only the reſt of the Engliſh troops ſtill in Ireland, but alſo a good body of Iriſh, whom he intended to ſend for into England.

Id. p. 925. He ordered therefore the marquis of Ormond, lord-lieutenant of Ireland, to negotiate this peace, wherein however difficulties ſeemingly inſurmountable occurred. To make peace with the Iriſh, they were neceſſarily to be ſatisfied in point of religion. But this the king could not do without running counter to all his proteſtations concerning his great zeal for the proteſtant religion, and without confirming in ſome meaſure, the ſuſpicions of thoſe who believed he was concerned in the Iriſh rebellion. In a word, he could not take this ſtep, without relinquiſhing the intereſt of the Iriſh proteſtants, and giving the catholicks ſuch advantages, as would render them very ſuperior to the proteſtants. The intereſts of England were alſo to be abandoned, and the dominion ſhe had always enjoyed over Ireland, ſince the conqueſt of that kingdom, was in great meaſure to be forfeited. Nay, he was in danger by ſuch a proceeding to loſe many friends in

[r] The lord Inchiquin refuſed to accept it, becauſe he could not obtain the preſidency of Munſter. See Borlaſe, p. 146.

in England. Thoſe who were ſincerely attached to him, and perſuaded, that he acted upon motives of juſtice and religion, muſt have opened their eyes, when they ſaw him manifeſtly betray the intereſt of England, and the proteſtant religion, if he had concluded with the Iriſh ſuch a peace as they demanded. Theſe were great difficulties which could be ſurmounted but by one of theſe ways; either by perſuading the Iriſh to rely on his general promiſes, that he would content them at a better juncture, and when it was more in his power; or elſe, colouring with ſome ſpecious pretence, the favours he ſhould be obliged to grant them for a peace. As to the firſt way, the king forgot nothing that he believed apt to induce the Iriſh to truſt to his promiſes, and herein the marquis of Ormond was long employed without any effect. The Iriſh were immoveable, and would not be contented with bare words. The ſecond way was ſtill more impracticable: for what colour could be put upon an intire relinquiſhing of the intereſts of religion and England? 1645-6.

Mean while, as the king hoped, that with the ſuccours from Ireland, he ſhould be able to give law to the parliament, and then, he obliged to uſe no farther ceremony; he reſolved not to deprive himſelf of ſuch an advantage, but to grant the Iriſh whatever they demanded. However, to avoid the prejudice ſuch a proceeding might create him in England, he choſe to conclude a private peace with the Iriſh, without ſolemnity, or the intervention of the lord-lieutenant, and to bind himſelf to have it effectually executed, till it ſhould be in his power to ratify it ſolemnly, with which the Iriſh were content.

To this purpoſe, whilſt the marquis of Ormond was ſeemingly labouring with great earneſtneſs to make a peace with the rebels, by trying to perſuade them to deſiſt from part of their demands, Edward Somerſet earl of Glamorgan, authorized by the king, was treating ſecretly and more effectually with them. He granted them, on the king's behalf, all their demands, on condition they would furniſh him with ten thouſand men, who ſhould paſs into England, under the command of the ſame earl of Glamorgan. But as this lord's bare promiſe was not a ſufficient ſecurity for the Iriſh, the king ſent him full powers, the tenor whereof was as follows:

CHARLES R.

"CHARLES by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, &c. To our truſty, and right well-beloved couſin, Edward earl Ruſhworth, VI. p. 239, 240, 243.

1645-6. "earl of Glamorgan, greeting. We, repoſing great and "especial truſt and confidence in your approved wiſdom, "and fidelity, do by theſe (as firmly as under our great- "ſeal, to all intents and purpoſes) authoriſe, and give you "power, to treat and conclude, with the confederate Ro- "man catholicks in our kingdom of Ireland, if upon ne- "ceſſity any be to be condeſcended unto, wherein our lieu- "tenant cannot ſo well be ſeen in, as not fit for us at the "preſent publickly to own: therefore we charge you to "proceed according to this warrant, with all poſſible ſe- "crecy; and for whatſoever you ſhall engage yourſelf, "upon ſuch valuable conſiderations, as you in your judg- "ment ſhall deem fit, we promiſe, on the word of a king, "and a chriſtian, to ratify and perform the ſame that ſhall "be granted by you, and under your hand and ſeal; the "ſaid confederate catholicks, having by their ſupplies, "teſtified their zeal to our ſervice. And this ſhall be, in "each particular to you, a ſufficient warrant."

Given at our court at Oxford, under our ſignet, and royal ſignature, the 20th day of March, in the twentieth year of our reign 1644.

The date of this warrant is remarkable, for it was at a time when the king's affairs did not ſeem abſolutely to require his employing the Iriſh catholicks. In the foregoing campaign, he had gained a ſignal advantage over the earl of Eſſex, with all the weſtern counties. He had fought a battle at Newbury, which had not procured his enemies any real advantage, and on the contrary, had ſhown in the affair of Delnington, that he believed to have no reaſon to fear them. It was juſt after the treaty of Uxbridge, where he did not think himſelf under a neceſſity of making any conceſſions. In a word, it was at a time when the parliament, by reaſon of the ill-ſucceſs of their arms, were labouring to new-model their army. It cannot therefore be ſaid, that the king was driven by deſpair, to make uſe of the aſſiſtance of the Iriſh. It is rather very eaſy to perceive, it was ſolely to increaſe the ſuperiority he then had over the parliament.

By virtue of this warrant, the earl of Glamorgan concluded a treaty with the popiſh biſhops, concerning the clergy-livings. This was a preliminary treaty, upon which the biſhops made the following inſtrument:

"Whereas in theſe articles touching the clergy-livings, "the right honourable the earl of Glamorgan, is obliged "in his majeſty's behalf, to ſecure the conceſſions in theſe "articles by act of parliament: we holding that manner of

"ſecuring

" ſecuring thoſe grants, as to the clergy-livings, to prove 1645-6.
" more difficult and prejudicial to his majeſty, than by do-
" ing thereof, and ſecuring thoſe conceſſions otherwiſe, as
" to the ſaid livings, the ſaid earl undertaking and promi-
" ſing, in the behalf of his majeſty, his heirs, and ſucceſ-
" ſors, as hereby he doth undertake, to ſettle the ſaid con-
" ceſſions, and ſecure them to the clergy, and their reſpec-
" tive ſucceſſors, in another ſecure way, other than by par-
" liament, at preſent, till a fit opportunity be offered for
" ſecuring the ſame; do agree, and condeſcend thereunto:
" and this inſtrument by his lordſhip ſigned, was before the
" perfecting thereof intended to that purpoſe, as to the ſaid
" livings, to which purpoſe we mutually ſigned this in-
" dorſement: and it is further intended, that the catholic
" clergy ſhall not be interrupted by parliament, or other-
" wiſe, as to the ſaid livings, contrary to the meaning of
" theſe articles."

GLAMORGAN.

The earl of Glamorgan added alſo the following proteſtation or oath:

" I Edward earl of Glamorgan do proteſt, and ſwear,
" faithfully to acquaint the king's moſt excellent majeſty
" with the proceedings of this kingdom, in order to his
" ſervice, and to the endearment of this nation, and punc-
" tual performance of what I have (as authoriſed by his
" majeſty) obliged myſelf to ſee performed; and in default,
" not to permit the army intruſted to my charge to adven-
" ture itſelf, or any conſiderable part thereof, until condi-
" tions from his majeſty, and by his majeſty be performed."

Sept. 3, 1645. GLAMORGAN.

The ſubſtance of the treaty between the earl of Glamorgan, and the confederate Iriſh catholicks.

IT was ſaid in the beginning of the treaty, that much time had been ſpent in meetings and debates betwixt James marquis of Ormond lord-lieutenant of Ireland, and the commiſſioners of the catholick council of Kilkenny, for the treating and concluding of a peace; and thereupon many difficulties ariſing, the earl of Glamorgan was entruſted and authoriſed by his majeſty, to grant and aſſure to the ſaid confederate catholicks, further grace and favours, which the ſaid lord-lieutenant had not as yet, in that latitude as they expected, granted unto them; in purſuance therefore of his majeſty's authority, under his ſignature royal and ſignet, bearing date at Oxon the 12th day of March, in the 20th

year

1645-6. year of his majesty's reign:—"It is accorded and agreed "between the said earl of Glamorgan, for and on the be- "half of his majesty, and Richard lord viscount Mount- "garret, president of the supreme council at Kilkenny, "Donnough lord viscount Muskerry, *&c.* commissioners "appointed by the confederate Roman catholicks:

"I. That all the professors of the Roman catholic reli- "gion in Ireland shall enjoy the free and public use and "exercise of their religion.

"II. That they shall hold and enjoy all the churches by "them enjoyed within that kingdom, or by them possessed "at any time since the 23d of October 1641, and all other "churches in the said kingdom, other than such as are now "actually enjoyed by his majesty's protestant subjects.

"III. That all the Roman catholicks shall be exempted "from the jurisdiction of the protestant clergy, and that "the Roman catholic clergy shall not be punished or mo- "lested, for the exercise of their jurisdiction over their re- "spective catholick flocks.

"IV. That the following act shall be passed in the next "parliament to be holden in Ireland. [*Here is inserted the "form of an act for securing all the king's concessions to the "catholicks.*]

"V. That the marquis of Ormond, or any others, shall "not disturb the professors of the Roman catholick religion "in the possession of the articles above specified.

"VI. The earl of Glamorgan engages his majesty's word "for the performance of these articles.

"VII. The public faith of the kingdom shall be engaged "unto the said earl by the commissioners of the confederate "catholicks, for sending ten thousand men by order of the "general-assembly at Kilkenny, armed the one half with "musquets, and the other half with pikes, to serve his "majesty in England, Wales, or Scotland, under the com- "mand of the earl of Glamorgan."

Signed the 25th of August 1645.

Moreover, the Irish commissioners ingaged their word and the faith of the supreme council of Kilkenny, that two thirds of the clergy's revenues should be employed for the space of three years, towards the maintenance of the ten thousand men, the other third being reserved for the clergy's subsistence.

Rushworth, VI. p. 239. This treaty, though made very secretly, was however discovered by an extraordinary accident. The archbishop of Tuam, president of Connaught, going into Ulster, about some

ſome affairs, met with a body of Iriſh troops marching to beſiege Sligo and joined with them, whether for ſecurity's ſake or ſome other deſign [1]. When they came near Sligo, the garriſon made a ſally, charged the troops that were come to beſiege them, utterly routed them, and killed the archbiſhop of Tuam. In his pockets it was that authentic copies, atteſted and ſigned by ſeveral biſhops, were found, of the fore-mentioned treaty, and of the king's warrant to the earl of Glamorgan, which were ſent to the parliament. 1645-6. Octob. 17.

The marquis of Ormond, the lord Digby then in Ireland, and ſome others having ſoon heard that the ſecret was diſcovered, found no better expedient to clear the king, than to arreſt the earl of Glamorgan, for having, in a preſumptuous manner, worthy of ſevere puniſhment exceeded his orders, and concluded a treaty with the Iriſh. This is what the king alſo inſinuated in his meſſage to both houſes of the 19th of January 1645-6. Id. p. 240. Ludlow. T. I. p. 163.

Ruſhworth has inſerted in his collections two intercepted letters of the earl of Glamorgan, one to his counteſs dated in January, acquainting her that his impriſonment did not give him much uneaſineſs. In the other of the 26th of February, directed to the king, he told him, that he was at Waterford providing ſhipping to tranſport ſix thouſand foot immediately, and that four thouſand more were to follow them by May [2]. Theſe troops came not however into England, probably by reaſon of the change in the king's affairs, which were in a melancholy ſituation after the battle of Naſeby. All his towns were taken one after another. The Scots were now before Newark, and general Fairfax having reduced all the weſt to the obedience of the parliament, was preparing to beſiege the king in Oxford. Ruſhworth, VI. p. 246, 249.

Whilſt

[1] He attended the army at this time to viſit his dioceſe, and put in execution an order for the arrears of his biſhopric, granted to him by the council of Kilkenny. Ruſhworth, Tom. VI. p. 239.

[2] This letter to the king, with the lord Digby's narrative of his proceedings againſt the earl of Glamorgan, &c. came to the parliament's hands in the following manner: whilſt Fairfax was in Cornwal hemming in the lord Hopton, a ſhip came into Padſtow from Ireland, not doubting but to have been well received; whereas the town's people, with the help of ſome parliament dragoons, ſeized and boarded her. The captain, one Allen of Waterford, had thrown a packet of letters over-board, which were found floating on the water, and carried to Fairfax, who found, amongſt others, the letter and narrative above-mentioned. Theſe letters being ſhowed and read to the people of the county, who were ſummoned to appear on the downs by Bodmin, made great impreſſion on them, ſo that many of them offered to aſſiſt in blocking up all paſſages, to prevent the royal cavalry from breaking through. Ruſhworth, Tom. VI. p. 104.

1645-6. Whilſt the king was in this melancholy ſtate, the court of France ſent Montreuil into England, on pretence of procuring a peace between the king and the parliament: but their real intention was, that Montreuil ſhould endeavour a private agreement between the king and the Scots [1]. This could not be done without the king's intirely forſaking the biſhops, and conſenting to the eſtabliſhment of the preſbyterian government in the church of England. The court of France and the queen of England hoped, this project would ſucceed the more eaſily, as it was agreeable to good policy and the king's intereſts. The king would thereby have gained not only the Scots, who had a ſtrong army in England, but alſo the city of London and the majority of the members of parliament, who, for the moſt part, inſiſted upon the other points in diſpute, only to obtain this the more eaſily. This was properly the ſole means of balancing or ſurmounting the great power of the independents, who were in a manner maſters of the army. If the king had taken this courſe, it is very evident, it would have turned greatly to his advantage: whereas, at the time it was propoſed to him, he was entirely without remedy. But his zeal for epiſcopacy would not ſuffer him to accept of ſuch an overture; and he told Montreuil, he would never conſent to it. About the ſame time the queen ſent Sir William Davenant to perſuade the king to join with the preſbyterians, as the only means to free himſelf from his ſad condition. The moment Davenant offered to ſpeak to him, he commanded him to hold his tongue, and never more appear in his preſence.

The court of France ſends Montreuil to London. Clarendon, T. II. p. 577.

He propoſes to the king to join with the preſbyterians.

The king rejects the propoſal. Clarendon, T. II. p. 579, 580, and III. p. 24.

Mean while, Montreuil at his arrival in England being poſſeſſed with the notion, that the king would not refuſe the courſe, which was to be propoſed to him, had made ſome overtures to the Scotch commiſſioners reſiding in London, and found them inclinable to treat with the king: but after he had ſpoke and writ to his majeſty ſeveral times, he found him immoveable. The Scots, on their part, being no leſs inflexible, conſtantly refuſed to promiſe the king any aſſiſtance, unleſs he conſented to the abolition of epiſcopacy [2].

Negotiation of Montreuil's, between the king and the Scotch army. Clarendon, T. II. p. 579, 580.

Whilſt

[1] The lord Clarendon affirms, That the Scots were under terrible apprehenſions of being diſappointed of all their hopes, by the prevalence of the independent army, and therefore wiſhed for nothing more, than an opportunity to make a firm conjunction with the king. Tom. II. p. 579.

[2] The Scots produced a writing ſigned by the queen, wherein were ſuch expreſſions, as did not pleaſe the king, and made him look upon that negotiation, as rather a conſpiracy againſt the church, between the catholicks and preſbyterians, than as an expedient for his reſtoration or preſervation. Clarendon, Tom. II. p. 579.

Whilſt the affair was delayed by this difficulty, and Montreuil gone to the Scotch army before Newark, to try to find ſome medium favourable to the king, Fairfax was advancing with his army, ſo that the king was in danger of being incloſed in Oxford. The king's principal concern then was to deliver himſelf from this imminent danger. Though he had till that time demurred upon going to the Scotch army, on account of the forementioned difficulty, he ſaw however no other remedy when the danger approached. The Scotch officers had made him ſome general promiſes, founded probably upon their hopes of his conſenting at laſt to their demands. He ſent them word of his intention to come to their army, and they promiſed to receive him and provide for his ſafety. He had not time, doubtleſs, to make a more particular treaty. At leaſt, it is not known to this day upon what terms the king put himſelf into the hands of the Scots, and on what conditions they received him. However, the king having no time to loſe, that he might not be inveſted in Oxford, departed privately and came to the Scotch army, the 5th of May 1646 [1]. 1645-6. Idem. III. p. 1, 13. Id. p. 13, 14. The king goes to the Scotch army. Id. p. 17.

The king had, on the 13th of April, imparted by letter to the marquis of Ormond his deſign to throw himſelf into the arms of the Scots, in theſe words: "Having lately received very good ſecurity that we and all that do or ſhall adhere to us, ſhall be ſafe in our perſons, honours, and conſciences in the Scotiſh army; and that they ſhall really and effectually join with us, and with ſuch as will come in to us, and ſhall employ their armies and forces to aſſiſt us to the procuring of a happy and well grounded peace" 1646. Ruſhworth, VI. p. 268.

[1] According to the lord Clarendon, the king was not reſolved, when he left Oxford, whether he ſhould go to London or the Scotch army. He ſays, the king went away the 27th of April, attended only by John Aſhburnham groom of his bed-chamber, and one Mr. Hudſon a divine, who underſtood the by-ways. It was nine days after his leaving Oxford before it was known where the king was. It ſeems, the king had waſted that time in ſeveral places, purpoſely to be informed of the condition of the marquis of Montroſe, and to find a ſecure paſſage to get to him, which he exceedingly deſired. Clarendon, Tom. III. p. 17.——Hudſon, upon his examination, ſaid, That the king croſſed the county, was at Henley, Brentford, and Harrow on the Hill, where he ſtayed ſometime, and was almoſt perſuaded to come to London; and then he went to St. Albans, and ſo to Harborough in Leiceſterſhire, where the French agent was to have met him with ſome horſe, to conduct him to the Scots army, but came not; from thence the king went to Stamford, where he lay one night; and from thence to Downham in Norfolk, where he ſtayed at a petty alehouſe, from April 30, to May 4; that he paſſed ſometimes by the name of Hudſon's tutor, ſometimes doctor, and ſometimes as Aſhburnham's ſervant. Whitelock, p. 209. Ruſhworth, Tom. VI. p. 267. Heath, p. 99.

1646. "peace—If it ſhall pleaſe God that we come ſafe thither, "we are reſolved to uſe our beſt endeavour, with their aſ- "ſiſtance, and with the conjunction of the forces under the "marquis of Montroſe, and ſuch of our well affected ſub- "jects of England as ſhall ariſe for us to procure, if it may "be, an honorable and ſpeedy peace."

Ruſhworth, VI. p. 272. The marquis of Ormond ſent a copy of this letter to general Monroe, who commanded the Scotch troops in Ireland, and Monroe communicated the ſame to the commiſſioners of the parliament in Ulſter, by whom copies of the letter, as printed at Dublin, were ſent over to both houſes, and it was read in the houſe of commons on Saturday June the 9th. Whereupon, on the Monday following, the Scotch commiſſioners delivered a declaration to the houſe of peers, poſitively denying, that their army had made any treaty with the king to aſſiſt him. Thus we ſee on one ſide, the king affirming he had received very good ſecurity that the Scots would declare for him; and on the other, the commiſſioners of Scotland denying that their army had made any treaty with the king to aſſiſt him.

In all probability the Scotch commiſſioners and the general officers of their army had given Montreuil hopes, they would declare for the king, but on condition he would renounce epiſcopacy; without which condition, it is not eaſy to conceive, that the commiſſioners or officers ſhould have made ſuch a promiſe, which was not in their power; ſince they could not ingage contrary to the expreſs tenour of the covenant, and without poſitive orders from thoſe who governed Scotland. Wherefore it could only be hopes, and thoſe conditional, which the king prepoſterouſly took for aſſurances, and which Montreuil, perhaps, confounded as well as he. It is true, the earl of Clarendon cites a paper ſigned by Montreuil, wherein he ſays, "I do promiſe in "the name of the king and queen (my maſter and miſtreſs) "and by virtue of the powers I have from their majeſties, "That if the king of Great-Britain ſhall put himſelf into "the Scotiſh army, he ſhall be there received as their na- "tural ſovereign, and ſhall be with them in all freedom of "his conſcience and honour.—And that the Scots ſhall "employ their armies and forces to aſſiſt his majeſty in the "recovery of his juſt rights, &c."

April 1. Clarendon, III. p. 14.

But it muſt be obſerved, there is not in this paper a ſingle word to ſhow that Montreuil was impowered to make this promiſe, either by the commiſſioners, or the general officers, or the parliament of Scotland: nay, it does not ſo much as

appear

appear that he was accepted for mediator in the affair; that 1646.
besides, he could not engage the authority of the king of
France and the queen-regent to make such a promise, un-
less he was furnished with a treaty, which however has never
appeared. The lord Clarendon intimates that Montreuil Id. p. 14, 15.
had the word of the principal officers of the Scotch army,
but that afterwards finding them grown cold, he writ to
the king to dissuade him from venturing his person among
them. Indeed it is hard to conceive, that Montreuil should
sign such a promise without being authorized. But on the
other hand, is it likely that, if he had been authorized by
a treaty or other warrant, he would not have mentioned
it in his paper?

But what seems still more impossible, is, that the Scots
should promise without condition, as this engagement inti-
mates, contrary to the tenour of the covenant between the
two nations, since the king would not so much as hear of
the abolition of episcopacy. There must therefore have
been some mistake in the negotiation carried on by Mon-
treuil's mediation, and the king and the mediator must have
taken, for positive assurances, promises which were condi-
tional only, as appears in the king's letter to the marquis of
Ormond, and the solemn denial of the Scots. However
this be, Montreuil was recalled and disgraced, and, as there
is reason to believe it was for ingaging the word and honour Clarendon,
of the king his master, and the queen-regent upon so trifling III. p. 12,
a foundation. The lord Clarendon, probably, to hinder 16.
the king from being blamed for putting himself into the
hands of the Scots too hastily, and without good security,
says, this envoy's disgrace was an artifice of cardinal Ma-
zarin, who had a mind to conceal the insincerity of the
court of France. I own I cannot comprehend the mean-
ing of these words. But if it be true, that Montreuil was
not authorized to promise what he did, as it does not ap-
pear that he was, I don't see any occasion to seek for other
cause of his disgrace.

The king being come to the Scotch army [1], which had The king
been before Newark ever since November, the general re- orders New-
presented to him, that it would be proper, for the safety of ark to be
his person, for the army to march northward, near the bor- surrendered
ders of Scotland. But as this could not be done before the to the Scots,
taking of Newark, he desired him to order the town to sur- May 6.
render. The king persuaded by this reason, gave orders to Rushworth,
VI. p. 263.
Clarendon,
the II. p.
Whitelock.

Z 2

[1] The parliament received, on May 6, intelligence of the king's repairing to the Scots army, and thereupon immediately voted, That his majesty should be sent to Warwick castle. Rushworth, Tom. VI. p. 268.

1646. the lord Bellaſis the governor to ſurrender Newark, which was done accordingly; and immediately after the army began to march and came with the king to Newcaſtle.

who carry him to Newcaſtle.

May 7, 13. May the 18th, the king ſent a meſſage to both houſes, recommending to them the ſpeedy ſettling of religion, and the taking to that end the advice of the divines of both kingdoms aſſembled at Weſtminſter.

The king's meſſage to both houſes.

Ruſhworth, VI. p. 274. Concerning the militia, he agreed that the two houſes ſhould name all the commiſſioners for that truſt for the ſpace of ſeven years, and after the expiration of that term, a regulation ſhould be made by the king and both houſes.

He offered the like for the kingdom of Scotland.

Concerning the wars in Ireland he ſaid in general, he would do whatever was poſſible for him to give full ſatisfaction therein.

In a poſtſcript, he offered to diſband his forces at Oxford, and conſent that the fortifications of that city ſhould be demoliſhed, provided honorable terms were granted to the garriſon, which done, he would give the like order to the reſt of his garriſons.

The king writes to the city of London.

The next day, the king writ to the city of London, to acquaint them, that he was ready to comply with the parliament in every thing.

Ibid. Another meſſage.

June the 10th, he preſſed the two houſes by another meſſage, to ſend their propoſitions for peace, that he might give them all juſt ſatisfaction; and deſired again the liberty to come to London and treat in perſon with them [1].

Id. p. 300.

The 25th of the ſame month, the Scotch commiſſioners preſented a memorial to the parliament, whereby they conſented, that the propoſitions for peace, which had been communicated to them, ſhould be ſent to the king, with proteſtation however, that they were not all agreeable to their ſentiments. They deſired alſo, that money might be ſent to their troops both in England and Ireland, their accounts ſtated, and all armies ſpeedily diſbanded.

The Scots deny the having made a treaty with the king.

Mean while, the Scotch army at Newcaſtle, underſtanding, it was reported at London, that they had made a treaty with

[1] The parliament, in their debates about the propoſitions for peace to be ſent to the king, voted, That Sir Thomas Fairfax ſhould be made a baron, and have 5000 l. a year ſettled on him; and his father made an earl. Oliver Cromwell a baron, with 2500 l. per annum. The earls of Northumberland, Eſſex, Warwick, and Pembroke, be made dukes. The earls of Saliſbury and Manchcſter, marquiſſes. The lords Roberts, Say, Willoughby of Parham, Wharton, and Howard, earls. Mr. Holles, a viſcount. Sir Henry Vane, ſenr. a baron. Sir William Waller, a baron, with 2500 l. per annum. Sir Arthur Haſlerigge, and Sir Philip Stapleton, barons, with 2000 l. per annum each. Sir William Brereton, to have 1500 l. and Skippon, 1000 l. per annum. Whitelock, p. 181, 182.

Id. p. 303.

with the king to aſſiſt him againſt the parliament, publiſhed a declaration, proteſting, it was always their intention to maintain the covenant between the two kingdoms, and that they abhorred all publick and private ways tending to violate the ſame, or to create a miſunderſtanding between the two nations. At the ſame time, they preſented a petition to the king, beſeeching him to take a ſpeedy courſe for ſettling of religion in England, according to the example of the beſt reformed churches, and for eſtabliſhing the privileges and liberties of his kingdoms; expreſſing their great grief for his not having yet authorized and ſigned the covenant [1]. They alſo prayed him to comply with the counſels of his parliament. The king returned to this petition a general anſwer, without entering into particulars. 1646. p. 304. p. 305.

The general aſſembly of the kirk of Scotland writ likewiſe to the parliament of England, the city of London, the aſſembly of divines, to deſire them to promote the work of reformation, according to the tenour of the covenant. June 18. Id. p. 306, 308.

July the 6th, the houſe of commons voted, that England had no further need of the Scotch army, and that the commiſſioners of Scotland ſhould be deſired to withdraw their forces. Vote, that the Scotch army is no longer neceſſary.

Some days after, the two houſes ſent [2] propoſitions for peace to the king at Newcaſtle, which were little different from thoſe debated at Uxbridge. Wherefore I do not think it neceſſary to repeat them. I ſhall content myſelf with relating the thirteenth article, being an addition to the former claims of both houſes with reſpect to the militia: Id. p. 306. p. 309. Whitelock, p. 215.

" That during the ſpace of twenty years, the two houſes " of parliament alone, ſhall have power to arm, train, and " diſcipline the militia; and that neither the king, or his " ſucceſſors, ſhall, during the ſaid ſpace of twenty years, " exerciſe any power over them. The propoſitions of the two houſes to the king. July 11. Ruſhworth, VI. p. 311.

" The like for the kingdom of Scotland, if the eſtates of the parliament there ſhall think fit.

" That moneys be raiſed for the maintenance of the ſaid " forces for land-ſervice, and of the navy, as the lords and " commons ſhall, during the ſaid ſpace of twenty years, " think fit; and that the ſaid forces be employed, ordered, " and diſpoſed, as the two houſes ſhall appoint, and not

[1] The author's words are, " they " prayed him to ſign the covenant," but it is in the petition as in the tranſlation. See Ruſhworth, Tom. VI. p. 304.

[2] The commiſſioners for the houſe of lords, were, the earls of Pembroke and Suffolk; and for the commons, Sir John Danvers, Sir John Hippeſley, Mr. Robinſon, and Sir Walter Earle. Whitelock, p. 214.

1646. "otherwiſe: that they ſhall have power, 1. To ſuppreſs "all forces raiſed without their authority and conſent. 2. "To ſuppreſs all foreign forces, who ſhall invade any of "the Engliſh dominions. 3. To conjoin the forces of "England with thoſe of Scotland.

"That after the expiration of the ſaid twenty years, no "perſon, under any pretence whatſoever, ſhall any way "diſpoſe of the Engliſh forces, without the conſent of both "houſes.

"That after the ſaid twenty years, if any bills are paſſed "by the lords and commons, for the ſafety of the kingdom, "and the royal aſſent is not given to them within ſuch "time as the houſe of peers ſhall judge convenient; that "ſuch bills ſhall nevertheleſs be as valid to all intents and "purpoſes, as if the royal aſſent had been given there-"unto."

Id. p. 319. The parliament's commiſſioners preſented theſe propoſitions to the king the 24th of July, and as they declared to him, they were limited not to ſtay above ten days at Newcaſtle; the king gave them his anſwer the firſt of Auguſt.

p. 320. Clarendon, III. p. 27. "That the propoſitions tendered to him did import ſo "great alterations in government, both in the church and "kingdom, that it was very difficult for him to return a "particular and poſitive anſwer to them, before a full de-"bate, wherein thoſe propoſitions, and the neceſſary ex-"planation, true ſenſe and reaſons thereof, were rightly "weighed and underſtood; which he found the commiſ-"ſioners were not authorized to admit, nor able to give "him. That he deſired to come to London with free-"dom, honour, and ſafety, where he might have thoſe "doubts cleared, and thoſe difficulties explained to him. "*That he aſſured them, That as he could never condeſcend to "what was abſolutely deſtructive to that juſt power, which, "by the laws of God and the land, he was born unto, ſo he "would chearfully grant and give his aſſent to all ſuch bills, as "ſhould be really for the good and peace of his people, not hav-"ing regard to his own particular.*"

The Scots preſs the king to accept the propoſitions. Ruſhworth, VI. p. 319. Clarendon, III. p. 28. Whitelock. Before the king delivered his anſwer to the parliament's commiſſioners the earl of Loudon, lord-chancellor of Scotland, made a ſpeech to him, to perſuade him to accept the propoſitions. His reaſons were the ſtronger and more preſſing, as drawn from the neceſſity the king was in. But his majeſty was not pleaſed to take his advice. This anſwer being

being read in the parliament the 12th of Auguſt, was the cauſe of great joy to thoſe who wiſhed not for peace [1]. 1646.

The ſame day, the Scotch commiſſioners preſented a memorial to the lords, offering to ſend their army into Scotland, upon reaſonable ſatisfaction for their pains, hazards, charges, and ſufferings. They alſo ſaid, ſince his majeſty had not agreed to the propoſitions preſented to him, it was neceſſary to conſult with them what was to be done, as well concerning the king's perſon, as the peace and ſafety of the two kingdoms. Both houſes returned them thanks, and appointed a committee to examine their accounts. The Scotch army offer to return home. Ruſhworth, VI. p. 322.

Some days after, they delivered in an account of arrears, amounting to two millions. The parliament diſputed ſeveral articles, and deducted ſuch ſums as the Scots had received. The Scots allowed the juſtice of ſome of theſe deductions, but could not agree to others [2]. At laſt, after many debates, the Scots offered to accept of a ſum in groſs, for a full diſcharge of their arrears. Whereupon they were aſked, what ſum they demanded, and at firſt they inſiſted upon five hundred thouſand pounds. The houſe of commons offered two hundred, and afterwards three hundred thouſand pounds. At length, the Scots abating one hundred thouſand pounds of their demand, it was agreed to allow them four hundred thouſand, one half to be paid upon their removal out of the kingdom, and the other at certain times. This is the fatal bargain, whereby it is pretended, the Scots ſold the king to the parliament of England, becauſe indeed they delivered him up ſome months after. But it muſt be obſerved, that this is only a ſuſpicion, a bare conjecture, and if it be true, that the Scots, when they agreed upon Diſputes about arrears due to the Scots. Ruſhworth, VI. p. 323, ——326. Ludlow. T. I. p. 174. Hollis's Mem. p. 62, 66. Whitelock. It is agreed to allow them 400,000 l. Warwick. Coke. Remark on its being ſaid, that the Scots ſold the king.

[1] A little after the king's coming to Newcaſtle, a Scotch miniſter preached boldly before him, and when his ſermon was done, called for the fifty ſecond pſalm, which begins, "Why "doſt thou, tyrant, boaſt thyſelf, thy "wicked works to praiſe." Whereupon his majeſty ſtood up, and called for the fifty-ſixth pſalm, which begins, "Have mercy, Lord, on me, I pray, "for men would me devour." The people waved the miniſter's pſalm, and ſung that which the king called for. Whitelock, p. 270.——Whilſt the king was at Newcaſtle, Henderſon came and much importuned his majeſty to paſs the propoſitions; but his majeſty affirming, he could not in conſcience conſent to ſeveral things therein, eſpecially to the change of church-government, from the ancient order of epiſcopacy, ſeveral papers paſſed between his majeſty and him, which ſhew the king's great abilities in thoſe controverſies, being at a time when he could not have the aſſiſtance of any of his chaplains. Henderſon returning to Edinburgh, died ſoon after, on Auguſt 31. He was, ſays Whitelock, a perſon of a ſober converſation and good learning. Whitelock adds, "ſome "ſaid he died of grief, becauſe he "could not perſuade the king to ſign "the propoſitions." p. 221. He was more moderate, ſays Ruſhworth, than many of them. Tom. VI. p. 321.

[2] They acknowledged the receipt of but 700,000 l. in monies, proviſions, aſſeſſments, quarters, and otherwiſe. See Ruſhworth, Tom. VI. p. 323.

1646. upon this ſum of four hundred thouſand pounds, obliged themſelves to give up the king to the parliament, which I will neither affirm nor deny, at leaſt, they acted with ſo much addreſs, that there appeared no expreſs proof of it. No treaty, no paper, concerning this affair ever came to the knowledge of the publick. The ſum was promiſed them for arrears due to their army, from the 18th of January 1643-4, to the 18th of September 1646. If it could be proved, that in all that time the Scotch army had been regularly paid, according to the treaty between the two nations, and that no arrears were due to them, this, doubtleſs, would be a confirmation of the aforementioned ſuſpicion. But this proof is very difficult. For if on one ſide, the Scots, to mount the debt to five hundred thouſand pounds, inſerted in their accounts ſeveral unjuſt articles, which ought to have been abated, the Engliſh on their ſide, acted with no leſs injuſtice, in pretending to make unfair deductions. This appears by the particulars of the accounts brought in by both parties, which are to be ſeen in Ruſhworth's Collections. Nay, it ſeems, if the Engliſh had been deſirous to conceal the ſecret motive of this bargain, they ſhould not have diſputed the debt, ſince nothing would have been more proper to remove the ſuſpicion of their giving this ſum to the Scots, to ingage them to deliver up the king, than to ſhow it was really due to them for arrears.

Ruſhworth, VI. p. 323, 324, 326.

Another Remark.

Another, and no leſs important remark may be made upon this ſubject. The thing that has rendered odious this pretended ſale of the king's perſon, is the tragical death of that prince, of which it was the occaſion. But it muſt be conſidered, it was ſo only by accident. Nothing was at that time farther from the thoughts, both of the parliament and the Scots, than putting the king to death. The independents, mortal enemies of the king, Scots, and preſbyterians, were the men who twice took away the king from the parliament, by means of the army, and cut off his head, at the very time the parliament and Scots were heartily labouring to reſtore him, as will hereafter appear. If therefore this pretended ſale, ſuppoſing it real, was the occaſion of the king's death, it may be affirmed, it was the innocent occaſion, and its effects ought not to be imputed to the parliament, ſuch as it was at that time, ſince it is certain, neither both houſes, nor the Scots, did then carry their views ſo far, nor could poſſibly foreſee what afterwards happened. But, as I ſaid before, it can by no means be proved, that the Scots did indeed ſell the king to the Engliſh,

liſh. We ſhall ſee preſently, the reaſons why the Scots would not take charge of the king's perſon. 1646.

In the beginning of September, the duke of Hamilton, who had been releaſed out of Michael's Mount in Cornwal, upon the parliament's taking that place, came to Newcaſtle, with ſome other Scotch commiſſioners, and earneſtly preſſed the king to accept the propoſitions for peace. If the Scots had bargained, by a ſecret treaty, to give up the king to the parliament, this proceeding ſeems to have been prejudicial to them, ſince the king's compliance would have voided their bargain with the Engliſh, and deprived them of the promiſed ſum. Hamilton preſſes the king to yield to the propoſitions. Id. p. 327. Burnet's Mem. Ham. p. 285.

The king anſwered the duke, and the other commiſſioners, "That he only deſired to be heard, but could not "obtain his deſire. That he did not give a denial to the "propoſitions, but only deſired to be rightly informed of "what was demanded, and that his reaſons might be "heard." The king's anſwer. Ruſhworth, VI. p. 327.

In another anſwer given them in writing the next day, he ſaid, "He ſhould be content to reſtrain epiſcopal govern- "ment to ſome few dioceſes, as Oxford, Wincheſter, Bri- "ſtol, Bath and Wells, and Exeter; leaving all the reſt "of England fully to the presbyterian government, with "the ſtricteſt clauſes they ſhould think upon againſt papiſts "and independents. In a poſtſcript, he required them, to "give a particular account of this offer to the general aſ- "ſembly in Scotland; aſſuring them, that he would punc- "tually make good his laſt letter to them. And hoped, "that they, as churchmen, would not preſs him to comply "with what was againſt his conſcience, till he ſhould have "leaſure to be better informed." p. 328. Burnet's Mem. p. 285, 286.

This anſwer was a plain intimation, that when the king ſaid, he deſired *to be heard*, it was only a pretence to have liberty to come to London, to cauſe, if poſſible, the propoſitions to be altered. We ſee alſo by this anſwer, that he conſidered the affair of church government, as the principal and moſt difficult point: In a word, his offer ſhows he was very hard preſſed, ſince he agreed, that presbyterian government ſhould be eſtabliſhed throughout the whole kingdom, a few dioceſes excepted.

Some time after, he ſent a letter to the duke of Hamilton, (who was now retired, finding the king immoveable) telling him, that the two houſes thought of getting him into their hands, by ſaying, they did not intend to make him a priſoner, but only to give him an honourable guard; but Ruſhworth. VI. p. 329, Burnet's Mem. p. 289.

for

1646. for his part, he would not be left in England, when the Scotch army retired, without a viſible force upon his perſon. Probably therefore, when he demanded leave to come to London to treat in perſon with both houſes, he meant, that he ſhould remain at perfect liberty [1]. Perhaps he intended to eſcape into France, or elſewhere. But how could he imagine, he ſhould be left at perfect liberty, on the bare preſumption, that a negotiation with him would be ſucceſsful?

Conferences about the manner how to diſpoſe of the king's perſon.

At laſt, on the 18th of September, it was voted, that the king's perſon ſhould be diſpoſed of as both houſes of parliament ſhould think fit. But as he was not properly in their power, they appointed a committee to confer with the commiſſioners of Scotland upon that head.

Octob. 1. Ruſhworth, VI. p. 329.

In one of theſe conferences, the lord Loudon, chancellor of Scotland, endeavoured to ſhow, that one of the two kingdoms had no more right than the other, to diſpoſe of the king's perſon, becauſe he was equally king of both, and that beſides they were united in the ſame intereſt by their covenant. The Engliſh commiſſioners anſwered, That the king being in England, it belonged to the Engliſh to diſpoſe of

Id. p. 342, &c.

his perſon, and though he had retired to the Scotch army, that army being only auxiliaries, and in the pay of England, it was the ſame as if he had retired to the parliament's army, whereof the Scotch forces were a part.

Octob. 6.

In another conference, the ſame lord ſtrenuouſly continued to prove, the principle advanced by him in the former, namely,

Id. p. 331.

"That the diſpoſing of his majeſty's perſon did belong to "both kingdoms, and therefore, that he ought not to be "diſpoſed of by any one of the kingdoms, but by joint advice of both. He explained the word *diſpoſe*, which was "liable to be miſunderſtood: And ſaid, he meant thereby, "either that his majeſty ſhould be put under reſtraint, or "be at freedom with honour and ſafety. As for the way "of reſtraint, he ſaid, he looked upon it as a remedy more "dangerous than the diſeaſe, and as a means to draw the "war of foreign kings upon the nation, (eſpecially the "prince being in other kingdoms) rather than to quiet the "troubles at home. And therefore he concluded, that he "would lay aſide the way of reſtraint, and ſpeak of the "way which might be with freedom, honour, and ſafety; "and

[1] His words in the letter to Hamilton are, "Unleſs I may remain a free man, "and that no attendant be forced upon me upon any pretence whatſoever." See the letter, Ruſhworth, tom. 6. p. 329.

" and that could be no other, but that his majeſty ſhould 1646.
" go into Scotland, or come to his parliament, or ſome of
" his houſes about London. His going into Scotland, he
" obſerved, was full of dangers and inconvenience to both
" kingdoms: For the Iriſh, banded with a crew of malig-
" nants, poſſeſſed the mountains and highlands, which were
" the ſtrong-holds, and never-conquered parts of that king-
" dom. That they had not laid down their arms, but kept
" in a body together; and they were ſo near Ireland, as
" the forces of the rebels there might in two or three hours
" ſpace come over and join with them; and Scotland not
" being able to keep and entertain armies long, the king
" being there, might raiſe ſuch forces in that kingdom, as
" might make way quickly into England. And therefore
" his majeſty's going into Scotland being of moſt dangerous
" conſequence to both kingdoms, he offered to their lord-
" ſhips conſideration, his majeſty's coming to London, or
" ſome of his houſes thereabouts." The principal reaſon on which he grounded his opinion, was the ſame as the king himſelf had alledged. " That he had not refuſed his aſſent
" to the propoſitions, but only deſired to have his doubts
" cleared, and difficulties explained."

But in this reaſoning there was a material defect, which muſt have been viſible to all. And that is, the chancellor ſuppoſed, the king ſhould not be put under reſtraint, but left at full liberty in Scotland, at London, or ſome one of his houſes; which certainly was very far from the thoughts of the perſon that ſpoke, of the Scots, and of the parliament of England. In building therefore upon ſo wrong a foundation, the lord Loudon could not expect that his reaſoning ſhould be conſidered as of much weight, if he had not been to deal with men whoſe intereſt it was to feign, they thought it very ſolid.

Nothing ſeems more apt to confirm the ſuſpicion of the Scots being ingaged to deliver the king to the parliament, than this artifice of the lord Loudon to that end. For tho' he ſuppoſed, the king would be in one of his houſes with honour and ſafety, he knew the contrary, and that the parliament would always be maſter of his perſon. Conſequently it was the ſame thing as delivering him to the parliament, the condition that he ſhould be there with honour and ſafety, being only dazzling terms, to which the parliament might always give what ſenſe they pleaſed. But it muſt be conſidered, this is not a real proof, but a bare conjecture, which even ſeems to be deſtroyed by what happened ſhortly after.

1646. The commiſſioners of Scotland having cauſed an account of what paſſed at theſe conferences to be printed, with the ſpeeches to prove that England had no more right than Scotland to diſpoſe of the king's perſon, the commons were ſo offended at it, that they ordered all the copies to be ſeized, and the printer committed. They made likewiſe a long anſwer to the account of the Scots, and ſent it to the Scotch commiſſioners, who refuſed to receive it, becauſe it came only from one of the two houſes; but the commons ordered it to be printed and publiſhed. If it be true that the Scots had engaged to deliver the king to the parliament for the ſum of four hundred thouſand pounds, nothing was more prepoſterous than this diſpute, which was mixed with great bitterneſs, unleſs it is ſuppoſed, the parliament and Scotch commiſſioners had agreed together to act this ſort of farce.

Ruſhworth, VI. p. 326. Whitelock.

This diſpute, real or feigned, hindered not the Scotch army from preparing to return home. But as they were to be paid two hundred thouſand pounds, before they began their march, they might yet have ſtaid ſeveral weeks in England, had not the city of London ingaged to advance that ſum. It was however upon two conditions; the firſt, that the lenders ſhould have 8 *l. per cent.* intereſt for their money; and that the payment of the principal ſhould be ſecured out of the receipts of the grand exciſe, and the ſale of biſhops-lands [1]. For this reaſon both houſes made haſte to ſequeſter theſe lands, and appoint a committee to expoſe them to ſale [2].

Ruſhworth, VI. p. 326, 327.

Id. p. 373, &c. Whitelock.

Debates in Scotland about the king's perſon.

Reſolution of the parliament thereupon.

The 16th of December, the parliament of Scotland took into conſideration what was to be done with the king's perſon. After great debates, it was at length reſolved, that the commiſſioners reſiding at London ſhould demand of both houſes, from the parliament of Scotland, that the king might return to London with honour and ſafety: that they ſhould declare to them, that the parliament of Scotland was reſolved to ſupport monarchy in the perſon of the king and his juſt title to the crown of England. This reſolution ſeems directly contrary to the engagement to give up the king to the parliament.

Ruſhworth, VI. p. 390. Burnet's Mem. p. 294, &c. 306.

But

[1] The other condition was, That ſuch as had formerly contributed upon the propoſitions for horſe, monies, and plate, might advance the like ſum upon this propoſition, and be ſecured as above. Ruſhworth, Tom. VI. p. 326. — At the ſame time that the biſhops lands were given in as ſecurity for the repayment of the aforeſaid ſums, the whole order of archbiſhops and biſhops was aboliſhed, by an Ordinance of October 9.

[2] Money came in ſo faſt upon thoſe ſecurities, that the whole ſum of 200,000 *l.* was made up by the 27th of November; and on the 16th of December, it was ſent out of London in thirty-ſix carts. Ruſhworth, tom. 6. p. 389.

But the next day the commiſſioners of the general-aſſembly preſented to the parliament a paper, intitled, '*A ſolemn and ſeaſonable warning to all eſtates and degrees of perſons throughout the land*,' wherein they repreſented the hainous crime of forſaking the covenant, and endeavouring a breach with England. They maintained, that ſuch projects were infuſed into ſome by the devil, and that they who attempted to ſow diviſion between the two nations and violate the covenant, which was their chief ſtrength, could not but be enemies to the ſtate. Then, as to the diſpoſal of the king's perſon, they ſaid, that ſo long as his majeſty did not approve in his heart, and ſeal with his hand, the league and covenant, he could not be received in Scotland without expoſing the kingdom to freſh troubles. That, on the other hand, to diſpoſe of the king's perſon without the conſent of the parliament of England, was openly breaking the covenant, and incurring the guilt of perjury. That it was very true, they were engaged by the covenant to defend the king's perſon, but it was no leſs true, that the end of the union between the two nations, was to ſettle religion in both kingdoms, according to the tenor of the covenant, and that theſe two engagements could not be ſeparated. That for theſe reaſons they deſired, that freſh endeavours might be uſed to prevail with his majeſty to give ſatisfaction to both kingdoms, that he might return to his parliament of England as a reconciled prince to ſatisfied ſubjects, in order to eſtabliſh a happy peace. 1646. The general aſſembly are againſt it. Ruſhworth, VI. p. 391.

This paper being read in the parliament, the matter was again taken into conſideration, and at laſt after a great debate it was reſolved, "That his majeſty ſhould be deſired to "grant the whole propoſitions; and in caſe of refuſal, the "certifications given to his majeſty ſhould be put in execu- "tion, namely, to ſecure the kingdom without him;" and it was declared, "That the kingdom of Scotland cannot "lawfully ingage themſelves for his majeſty: he not taking "the covenant, ſatisfying as to religion, *&c.* Nor would "they admit him to come into Scotland, unleſs he gave a "ſatisfactory anſwer to the whole propoſitions lately pre- "ſented to him in the name of both kingdoms [1]. The parliament alter their reſolution. Whitelock. Ruſhworth, VI. p. 392.

The king having notice of this reſolution from the earl of Lanerick, ſent a meſſage to both houſes at Weſtminſter, to deſire again to come to London, or any of his houſes thereabouts, upon the publick faith and ſecurity of his parliament and Dec. 20. The king's meſſage to both houſes for a perſonal treaty. Id. p. 393.

[1] It was carried but by two votes in the Scotiſh parliament, That the king ſhould not come into Scotland. Whitelock, p. 236.

1646. and the Scotch commiſſioners, that he ſhould be there with honour, freedom and ſafety, in order to have his doubts cleared and difficulties explained: aſſuring them, that he would moſt willingly condeſcend to them in whatſoever ſhould be really for their good and happineſs: praying them to conſider, it was their king who deſired to be heard, which if refuſed to a ſubject by a king, he would be thought a tyrant for it.

Dec. 22. Ibid. Upon this meſſage the lords voted, that the king might come to Newmarket, there to remain with ſuch attendants about him, as both houſes ſhould appoint: But the commons voted, that Holmby-houſe in Northampton would be the fitteſt place for his majeſty, to which the lords conſented. Then it was reſolved, '*That his coming to Holmby ſhould be* Dec. 25. Whitelock. '*with reſpect to the ſafety and preſervation of his majeſty's* '*perſon, and in defence of the true religion, according to the* '*covenant*' [1].

1646-7. Ruſhworth, VI. p. 393. Clarendon, III. p. 29. The 5th of January 1646-7, a committee of both houſes was appointed to go down and receive the king from the Scots [2]. For though both houſes had declared, he ſhould be at Holmby with honour and ſafety, they meant not to leave the manner to his choice, and whatever expreſſions they might uſe, it was to be in effect a real impriſonment.

Some days after, the two houſes received from the parliament of Scotland, the following declaration:

Declaration of the parliament of Scotland. Jan. 16. Ruſhworth, VI. p. 395. "THAT the king's majeſty came to their quarters before Newark, and profeſſed he came there with a "full and abſolute intention to give all juſt ſatisfaction to "the joint deſires of both kingdoms, and with no thought "either to continue this unnatural war any longer, or to "make diviſion betwixt the kingdoms; but to comply with "his parliaments, and thoſe intruſted by them, in every "thing for ſettling of truth and peace; and that he would "apply himſelf totally to the counſels and advices of his "parliament: which he did not only profeſs verbally to "the committee of eſtates with the Scotiſh army; but alſo "in his ſeveral letters and declarations under his hand, to "the committee of eſtates of Scotland, and to the two "houſes

[1] It was put to the queſtion, whether theſe words, *according to the covenant*, ſhould be paſſed, and it was carried in the affirmative. Idem. p. 232.

[2] For the lords, the earls of Pembroke and Denbigh, and the lord Montague; for the commons, Sir William Armyne, Sir John Holland, Sir Walter Earle, Sir John Cook, Mr. John Crew, and major-general Brown; but Sir William Armyne not being well, Sir James Barrington went in his room. Ruſhworth, tom. 6. p. 394. They were attended by nine hundred horſe. Whitelock, p. 237.

" houſes of parliament of England reſpectively. In confi- 1646-7.
" dence whereof, and of the reality of his intentions and
" reſolutions, which he declared did proceed from no other
" ground, than the deep ſenſe of the bleeding condition of
" his kingdoms; the committees of the kingdom of Scot-
" land, and general officers of the Scotiſh army, declared
" to himſelf, and to the kingdom of England, their receiv-
" ing his royal perſon to be on theſe terms (which is truth,
" notwithſtanding what may be ſuggeſted or alledged to the
" contrary, by any within or without the kingdoms) and
" repreſented to him, that the only way to his own happi-
" neis and peace of his kingdoms, under God was, to make
" good his propoſitions of peace, (which after ſerious and
" mature deliberation were agreed upon) tendered to him
" in the name of both his kingdoms for his royal aſſent
" thereunto; but alſo the chief judicatories of this king-
" dom, both civil and eccleſiaſtical, made their humble and
" earneſt addreſſes to his majeſty, by ſupplications, letters,
" and commiſſioners for that end; and did freely repreſent
" all the prejudices and inconveniences of the delay or re-
" fuſal of his aſſent, and in particular, that this kingdom
" would be neceſſitated to join with the kingdom of Eng-
" land, conform to the league and covenant, in providing
" for the ſecurity of both kingdoms, and ſettling the go-
" vernment of both, as might conduce moſt to the good of
" both. And the parliament of Scotland being now to
" retire their army out of England, have again, for their
" further exoneration, ſent commiſſioners, to repreſent their
" renewed deſires to his majeſty, with the danger that may
" enſue by his delay or refuſal to grant the ſame; and that
" till then, there was no danger to the cauſe, to his maje-
" ſty, to this kingdom, and to the union betwixt both the
" kingdoms, by his coming to Scotland; and that therefore
" there would be a joint courſe taken by both the kingdoms
" concerning the diſpoſal of his perſon. And conſidering,
" that his majeſty by his anſwer to the propoſitions of peace
" in Auguſt laſt, and alſo by his late meſſage ſent to the
" two houſes, and by his warrant communicated to the
" eſtates of this kingdom, hath expreſſed his deſires to be
" near to his two houſes of parliament: and ſeeing alſo the
" parliament of England have communicated to the Scotiſh
" commiſſioners at Newcaſtle, and by them to this king-
" dom, their reſolution, that Holmby-houſe in the county
" of Northampton, is the place which the houſes think fit
" for the king to come unto, there to remain with ſuch at-

" tendance

1646-7. "tendance about him as both houſes of parliament ſhall "appoint, with reſpect had to the ſafety and preſervation of "his royal perſon, in the preſervation and defence of the "true religion and liberties of the kingdoms according to "the covenant. Therefore, and in regard of his majeſty's "not giving a ſatisfactory anſwer to the propoſitions as "yet, and out of their earneſt deſire to keep a right under-"ſtanding betwixt the kingdoms, to prevent troubles with-"in the ſame, to ſatisfy the deſire of his majeſty, of the "two houſes of the parliament of England, and of this "kingdom, for his reſidence in ſome of his houſes near the "parliament of England: the eſtates of the parliament of "the kingdom of Scotland, do declare their concurrence, "for the king's majeſty's going to Holmby-houſe, or ſome "other of his majeſty's houſes in or about London, as ſhall "be thought fit, there to remain until he give ſatisfaction "to both his kingdoms in the propoſitions of peace; and "that in the interim their be no harm, prejudice, injury, "nor violence done to his royal perſon: that there be no "change of government other than hath been theſe three "years paſt: and that his poſterity in no ways be preju-"diced in their lawful ſucceſſion to the crown and govern-"ment of theſe kingdoms."

The king is delivered to the committee, and conducted to Holmby. Ruſhworth, VI. p. 309.

January the 23d the parliament's commiſſioners came to Newcaſtle, and on the 30th of the ſame month the king was delivered to them. That very day the Scotch army began to march towards Scotland, and the king arrived at Holmby the 16th of February.

Hitherto the preſbyterians and independents had acted as in concert, becauſe it was equally advantageous to them, or rather neceſſary, the king ſhould be diſabled from hurting both. When the king was reduced to his preſent condition, in the hands of a parliament conſiſting of two parties which had equally plotted his ruin, theſe two parties, who had till then ſeemed united, began to be openly divided, each plainly perceiving, this was the critical time to make the advantages gained in common upon the king, to turn to their own benefit. The preſbyterians were ſuperior in the parliament and in London: but the independents were, as I may ſay, maſters of the army, and by that their party was grown very conſiderable. The preſbyterians grand affair was therefore to diſband the army, under colour of its being unneceſſary, ſince the war was ended; and the independents grand affair was, to hinder this diſbanding, which could not but be fatal to their party. It is certain, the parliament, being almoſt wholly

Preſbyterians and independents begin to ſeparate.

Clarendon, III. p. 32, &c.

wholly presbyterian, seriously thought of discarding the independents, and particularly the generals and officers of that party. As they were obliged to send an army into Ireland, their project was to take for that service such soldiers out of the foot, horse, and dragoons, as should be willing to go thither, form them into companies, and give them officers, they could confide in. After that, their intent was to disband the rest of the forces, keeping only as many as should be necessary for the garrisons. Had this project succeeded, the independent-party would have been irrecoverably ruined. But the parliament had to deal with men who were too wise to give them time to take all their measures. Oliver Cromwell, a person of uncommon valour, great parts, and profound dissimulation, was then at the head of the independents, though he affected still to pass for a rigid presbyterian. He was present at the sermons of the presbyterians with a seemingly extraordinary devotion. He made use of certain scripture-expressions after the manner of the presbyterians, and spoke not a word which might betray him to be independent, either as to religion or policy. In short, he had found means to persuade general Fairfax, that his sole aim was to promote the glory of God, and the welfare of religion and the kingdom. He had in the army a great number of officers who acted by his directions, so that when he did all, he seemed to do nothing. Among these officers were his son-in-law Ireton, Rainsborough, Fleetwood, Lambert, Harrison, and several others, who took care to strengthen the independent party, by means of many subaltern officers, who endeavoured to make profelytes among the soldiers, and were so many emissaries in every regiment. Cromwell was member of parliament [1], and withal lieutenant-general of the army, notwithstanding the self-denying ordinance, from which he had been exempted. After the war was over, he constantly attended the house, and thereby might be informed of the project against the army, or rather against the independent party in general. He seemed to approve of the measures designed by the commons, namely, of forming an army for Ireland [2], and disbanding the rest of the forces. But at the same time, by means of his emissaries, he raised in the army a spirit of discontent and mutiny.

1646-7.

Cromwell's dissimulation.

Rushworth, VI. p. 452, &c.

He inspires the army with discontent, at their going to be disbanded. Clarendon, III. p. 35, &c. Heath. Coke.

[1] For the town of Cambridge.

[2] The forces voted for that service were seven regiments of foot, three thousand horse, and twelve hundred dragoons, and 40,000l. Whitelock, p. 217. About this time, colonel George Monk took the covenant, and engaging in the parliament's service, was sent into Ireland. Idem. p. 227.

1646-7. mutiny. This was the more eaſy, as the officers and ſoldiers perceived, they were going to be diſcarded, and as moſt were little able to return to their old profeſſions, after four or five years ſpent in war. There were in the army many officers, who before the wars had been only tradeſmen, and ſaw with regret they were going to be reduced to quit their employs which gave them authority, and reſume their former trades, to be mixed as before with the meaner ſort of people. Theſe men, as well as thoſe gained by the independents, were ready for any undertaking, not to be obliged to alter a courſe of life they had now led for ſome years. Cromwell therefore, and the officers of his party, improving this diſpoſition, diligently inſpired the army with diſcontent againſt the two houſes, wherein they ſucceeded but too well [1].

Project of a petition from the army.

The firſt ſpark of this flame appeared in March 1647, at the time when the parliament was ſeriouſly thinking of executing the fore-mentioned project. The commons had notice, that ſome officers of the army had prepared a petition to be preſented to the general and communicated to the houſe. In this petition was deſcribed, the unhappy condition, moſt of the officers and ſoldiers would be in, when the army ſhould be diſbanded. The articles deſired, were: '*Indemnity for actions as ſoldiers. Satisfaction for arrears. No preſſing for horſe or foot. Relief of widows and maimed ſoldiers. Pay till diſbanded.*' This petition flew from regiment to regiment, and there were officers very diligent to procure ſubſcriptions. Whereupon, the commons ſent an order to the general, to make ſtrict inquiry after the authors of the petition, and put a ſtop to the conferences held in the army to ſow diſcord and diviſion. The general anſwered, That in obedience to the order of the houſe, he had aſſembled the officers, and queſtioned them about the petition; that they had expreſſed a very deep ſenſe of their unhappineſs, in being miſunderſtood in their clear intentions, which, as they had proteſted, were no other than by way of petition to repreſent to him, their general, thoſe inconveniences, which would neceſſarily befal moſt of the army after diſbanding; but withal had aſſured him, they would wholly acquieſce in whatſoever he ſhould judge reaſonable to offer, or

Clarendon, III. p. 33, &c.

Order of the commons to the general about the petition.

Ruſhworth, VI. p. 445. The general's anſwer.

[1] The earl of Eſſex's death, which happened on the 14th of September 1646, made it the eaſier for Cromwell to carry on his deſigns. For doubtleſs, had he lived, he would have given ſome check to the fury that was going to prevail. The lord Clarendon ſays, that it was reported he was poiſoned: and that Cromwell and his party were wonderfully exalted with his death. Tom. 3. p. 33. On the 27th of November following, the earl's horſe and effigies were cut to pieces and defaced in Weſtminſter-abbey; and the like barbarous action was done to Camden's tomb there. Whitelock, p. 228.

of the houſe to grant on their behalf. The general added, That the houſe might be better informed, he had ſent lieutenant-general Hammond, colonel Hammond, colonel Lilburn, lieutenant-colonel Pride, and lieutenant-colonel Grimes, who, he hoped, would give a full and candid account of the whole matter. 1646-7.

Declaration of the commons publiſhed at the head of the ſeveral regiments. Ruſhworth, VI. p. 447. Whitelock.

Accordingly, theſe officers were examined before the houſe; after which, the ſpeaker, in diſmiſſing them, told them what ſenſe the houſes had of the petition, and deſired their care for ſuppreſſing the ſame, or any other of the like nature for the future [1]. The ſame day, the houſe ordered the general to publiſh a declaration, at the head of every regiment, importing, that the petition tended to put the army into a mutiny, and obſtruct the relief of Ireland, and that the promoters thereof ſhould be proceeded againſt as enemies to the ſtate and diſturbers of the public peace [2].

The army's diſcontent increaſes. Ruſhworth, VI. p. 447.

The commons could not do any thing more agreeable to thoſe, who had formed the project of ſowing diviſion between the army and the parliament. This declaration gave occaſion to the officers and ſoldiers to complain openly, "That they who had fought for the liberty of the ſubjects "of England, were denied the liberty of the ſubject to "petition, though it were to their general, and merely in "things relating to them as ſoldiers, meddling neither with "church nor ſtate-affairs, and withal, ſubmitting it to the "general's judgment for approbation or correction, as he "ſaw cauſe."

The parliament ſends a committee to form the army for Ireland. Id. p. 451, 452.

Mean while, the two houſes intending to execute their reſolution of ſending forces into Ireland in the manner they had projected, appointed a committee for that purpoſe, and gave them power to form the regiments, and commiſſion ſuch officers as they ſhould think fit. At the ſame time, they reſolved to encourage thoſe that voluntarily offered to ſerve in Ireland, and ordered the commiſſioners ſpeedily to execute their charge.

[1] Whitelock obſerves upon this occaſion, That this way of petitioning by multitude of hands to the parliament, which was formerly promoted by ſome of both houſes, as a means to carry on their deſigns at that time, began now to be made uſe of, and returned upon them, to their great trouble and danger, p. 242.

[2] Rapin has confounded here two different things. What he ſays was publiſhed at the head of the regiments, was only a declaration and vote of both houſes of the 30th of March. But the declaration ſent to the general to be publiſhed to the regiments, was to require them to deſiſt from going on in that petition they were about to preſent to him. Ruſhworth, Tom. 6. p. 446, 447.

1646-7. The commissioners [1] repairing to Saffron-Walden, the general's head-quarters, gave notice to the officers to assemble the next day. Then the earl of Warwick, head of the committee, made a speech, exhorting them to accept of the terms offered by the two houses. When he had done speaking, colonel Lambert answered in the name of all the officers, and desired to know, what satisfaction should be given them concerning four articles, namely, arrears, indemnity, maintenance in Ireland, and conduct? Sir John Clotworthy replied, That the parliament had taken care of all, except the point of indemnity, for which an ordinance would be ready in a few days. The officers demanded, what generals were to command them in Ireland? It was answered, Skippon and Massey were named for general and lieutenant-general; but for other commanders, the parliament had not yet come to any resolution. Then the officers cried out with one voice, That if the command was given to Fairfax, Cromwell, and Skippon, they were ready to march. The commissioners seeing the officers insisted upon a thing not agreeable to the intentions of the parliament, desired such as would list in the service of Ireland, to come to their lodgings in the town, where they would give them farther satisfaction; but there came very few. At the same time, the rest prepared a declaration, which was presented to the commissioners, wherein they said, "They had reason to complain, that "they had received no positive answer to their desires: that "however, those who in their own persons did not engage "for Ireland, would be ready to promote the service: that "if the same conduct under which the army had been so "prosperous in England, was continued, it would conduce "much to their personal engagement in the service of Ire-"land: that this was the general sense of the officers of the "army."

The commissioners find the army disinclined to obey them. Id. p. 457. Whitelock. Holles.

Declaration of the officers. Rushworth, VI. p. 459.

Id. p. 460, —463.

The general, who hitherto seemed very desirous to serve the parliament, ordered the officers who had a mind to serve in Ireland, to draw out as many of their men as would engage in that service. But the number was very small, and the parliament was informed, there were officers who took great

[1] The earl of Warwick, lord Dacres, Sir William Waller, Sir John Clotworthy, and major-general Massey. The establishment agreed on by the commons then was, Officers of horse: A colonel 12 s. a day, and for four horses 8 s. A captain 10 s. and two horses 4 s. A lieutenant 5 s. 4 d. and one horse 2 s. A provost-marshal 3 s. 4 d. and two men 4 s. Corporals and trumpeters, each 2 s. 6 d. Foot officers: A captain 8 s. a day. A lieutenant 4 s. An ensign 2 s. 6 d. Serjeants, drummers, corporals, each 1 s. Rushworth, Tom. 6. p. 454.

great pains to diſſuade the ſoldiers from this ſervice, and cheriſh the diſcontent of the army [1]. 1647.

At laſt, their boldneſs was ſuch, that ſome of the principal officers ſcrupled not to appear at the head of the mutineers in a declaration preſented to both houſes. They ſaid, "That the miſrepreſentations of their harmleſs intentions "to the houſe, having occaſioned hard thoughts and expreſſions of the houſe's diſpleaſure againſt them, they "humbly craved leave to offer ſome reaſons to clear their "proceedings in thoſe paſſages, which they found moſt obvious to exceptions in their petition, whereby they hoped "to make it evident, that the means they uſed, and the "method they took, was, as they conceived, moſt orderly "and inoffenſive; proceeded not in the leaſt from diſtemper, and aiming in no meaſure to put conditions on the "parliament; and that from hence might be diſcovered, "the corruptions of thoſe mens hearts, who have been the "evil inſtruments of occaſioning the late declaration againſt "them. And, Another declaration. April 27. Id. p. 469.

"1. For the liberty of petitioning, they hoped, the honourable houſe of commons would never deny it unto "them, there being not any thing more eſſential to freedom; and particularly, ſince they had juſtified and commended it in their declaration of the 2d of November "1642, in theſe words: *It is the liberty and privilege of the "people, to petition unto us for the eaſe and redreſs of their "grievances and oppreſſions, and we are bound in duty to receive their petitions.*

"2. They preſented not their petition to the houſe, but "with the approbation, and by the mediation, of their general, and conſequently, that it could not be repreſented "as ſeditious.

"3. The report of their forcing ſubſcriptions was not "true. For the petition had taken its firſt riſe from amongſt "the ſoldiers, and the officers had engaged but in the ſecond "place to regulate the ſoldiers proceedings, and remove, "as near as they could, all occaſion of diſtaſte.

"4. They were forced to deſire an act of indemnity for "ſuch actions as they had committed during the exigency "of the war, not warrantable by law, ſince they were "liable to be indicted for them in time of peace.

[1] See an account of the forces appointed to ſerve in Ireland, above, p. 369, Note (2). About five thouſand horſe and dragoons were ordered to remain in pay in England, for the defence of the kingdom. Hiſt. Mem. p. 74.

1647. "5. As to their desiring the royal assent, they never intended thereby to lessen the parliament's authority; but only used it as a provident caution for their future safety. And they observed, that the parliament itself had, by offering propositions, judged, the desiring the king's assent convenient.

"6. As to the desire of their arrears, necessity enforced them thereto: that their wages had been hardly earned, and the desire of them could not argue them guilty of the least discontent, or intention of mutiny.

"7. For what concerned the relief of Ireland, they thought it hard, that those who had voluntarily served in the wars, and left their parents, trades, and livelihoods, and, without any compulsion, engaged of their own accords, should, after all their free and unwearied labours, be forced and compelled to go out of the kingdom."

This declaration was signed by Thomas Hammond, lieutenant-general of the ordnance, seven colonels, seven lieutenant-colonels, six majors, and one hundred and thirty officers, captains, and subalterns.

Vote to disband the army. Id. p. 468.

The same day this declaration was presented to the house, the commons voted, that the army should be disbanded, and the soldiers have six weeks pay when dismissed.

Petition of some regiments of horse. April 30. Clarendon, III. p. 33. Whitelock, p. 245.

Some days after, major-general Skippon, who was to command in Ireland, and being returned from Barnstable had taken his seat in the house, notwithstanding the self-denying ordinance, which was no longer regarded, reported, that a letter was presented to him the day before by some troopers, in the behalf of eight regiments of horse, and produced the same, which was immediately ordered to be read. These regiments complained of the many late scandals, and false suggestions, against the army, and their proceedings, and alledged the reasons why they could not engage in the service of Ireland, under the conduct of the intended generals. The troopers, Sexby, Allen, and Sheppard, who brought the letter, were called in and examined, concerning the meaning of some expressions in the petition; to which they replied, That the letter being a joint act of those several regiments, they could not give a punctual answer, being only agents; but if they might have the queries in writing, they would carry them to the regiments, and return their answers.

Rushworth, VI. p. 474.

Votes in favour of the army. Ibid. Whitelock,

Though the declaration of the officers was in itself very reasonable, it looked however more like an insolent accusation against the parliament than an humble apology. This convinced

convinced the commons, that the evil was greater than was at firſt imagined; wherefore they paſſed ſeveral votes to give ſome ſatisfaction to the army, and to hinder the increaſe of their diſcontent. At the ſame time, Skippon, Cromwell, Ireton, and Fleetwood, were ordered to go and acquaint the army with what the houſe intended to do for the troops, and that a conſiderable ſum was preparing for their pay, before they were diſbanded. Hitherto the commons ſeem not to have perceived the true aim of the army's complaints, but hoped to appeaſe them by ſome condeſcenſion. 1647. New commiſſioners.

The generals ſent by the parliament being come to the army, and calling the officers together, read to them the votes paſſed in their favour; after which, Skippon made a ſpeech, to ingage them to ſerve under him in Ireland. The officers anſwered, as this affair concerned the ſoldiers, as well as the officers, it was neceſſary to inform them of it, in order to know their reſolution. Anſwer of the officers to the commiſſioners. Ruſhworth, VI. p. 484, 488.

Mean while, the parliament ardently deſiring to diſband the army, after that which was to ſerve in Ireland was formed, ordered, that before they were diſbanded, a fortnight's pay ſhould be added to the ſix weeks, formerly voted, and that ſix weeks pay more ſhould be given to thoſe who would ingage for the ſervice of Ireland. Whitelock, p. 247.

The troopers and ſoldiers being informed of what the generals, ſent by the parliament, had reported to the officers, anſwered, that as the whole army was concerned, they deſired to diſcuſs the affair in a committee, choſen by themſelves, out of every company and troop, who ſhould report the deſires of each regiment to a committee of general officers, to be by them contracted into a method, and if general, communicated to both houſes, as the ſenſe of the army. It is eaſy to perceive in this anſwer, a ſecret direction of ſome of the leading male-contents, who intended by this means to be maſters of the ſoldiers reſolutions, and compoſe in the army, a ſort of parliament, in oppoſition to the two houſes. The ſoldiers deſire to conſult among themſelves. Ruſhworth, VI. p. 485.

This demand, of which perhaps the conſequences were not by many foreſeen, being granted, the ſoldiers choſe two out of every company, who were called *adjutators*, or *agitators*, to debate upon the matters which were to be brought to the council of officers, called, the council of war, conſiſting of generals, colonels, lieutenant-colonels, majors, and captains. Among the agitators there were few or none above the degree of an enſign. Theſe two councils were afterwards continued, to the great prejudice of the parliament, and great advantage of the heads of the independent-party, who eaſily It is granted them. They ſet up the council of agitators. Ibid. Clarendon, III. p. 33. Whitelock.

1647. found means to admit only such as were devoted to them or not of sufficient ability to discover their designs.

The parliament persist in their design to disband the army. Rushworth, VI. p. 491.

Mean while, the two houses persisted in their resolution to disband the army, excepting those who would ingage to serve in Ireland. To effect this the more easily, it was ordered, that their arrears should be speedily audited, and good security given them, for so much as should not be paid off upon disbanding: that none that had voluntarily served in the wars, should be pressed for any service beyond sea: that an ordinance should be drawn for providing for widows, maimed soldiers, and orphans. After that, the two houses settled the manner of disbanding the army, namely, that the regiments should be disbanded at different times and places, and that the money to pay them what was promised, should be sent to the several rendezvous. But the army openly complained of the intention to pay them but two months arrears upon disbanding, when there was no less than fifty-six weeks due to them.

p. 493.

The army openly complain. p. 497. Whitelock.

Reasons why the votes are thought unsatisfactory. Rushworth, VI. p. 497.

Shortly after, the general called a council of war at Bury, at which were present above two hundred officers, and communicated to them the votes of both houses, advising them to a compliance with the order of parliament. But the officers answered, They did not think these votes satisfactory to the soldiers; 1. Because eight weeks pay was not a considerable part of what was due to them. 2. Because no visible security was given for the arrears. 3. Because nothing was done for their vindication, and they being declared enemies, and sent home, might hereafter be proceeded against as enemies, unless the declaration were recalled.

The soldiers threaten. Id. p. 498.

At the same council a petition was produced and read, which had been that morning presented to the general, in the name of the private soldiers of the army, complaining, "That it was intended to disband them without redressing "their grievances, and in a strange, unheard-of manner, "one regiment apart from another, which posture could "not but render them suspicious to the kingdom. And "therefore they desired the general would be pleased to ap- "point a rendezvous for the army, and use his utmost en- "deavours, that they might not be disbanded before their "grievances were heard, and fully redressed, which if not "done, they should be necessitated, though unwillingly, "to do things that might be prevented, by granting their "just desires."

The general counteracts the designs of the army.

The council of war having examined this petition, believed, or feigned to believe, it was absolutely necessary to take

take notice of it, for fear, if they ſaw all their deſires rejected, they ſhould have a rendezvous without their officers. 1647.
It was therefore reſolved, that the quarters of the army ſhould be contracted, to prevent diſorders, and for the greater readineſs to ſuppreſs them. It was manifeſt, the deſign of the petition, and the council of war's reſolution, was, to break the parliament's meaſures. It had been reſolved to ſeparate the army, and diſband them at different times and places, in order to do it the more eaſily; and the army, on the contrary, had contracted their quarters, ſo that they could rendezvous in a very ſhort ſpace, without any poſſibility of being prevented by the parliament. Id. p. 497, 498.

The general failed not to acquaint the two houſes with the reſult of what had paſſed in the council of war, intreating them to proceed with caution, that the army might not be incenſed, and a breach made, which could not but be very dangerous. He writ the ſame day to the ſpeaker of the houſe of commons, that he was extremely uneaſy concerning the diſpoſition of the army, and heartily wiſhed ſome means could be found to appeaſe the diſtractions, which was not in his power: that he was forced to yield to many things to prevent worſe inconveniences. The parliament recal their commiſſioners, May 30. Id. p. 499. Whitelock.

Whereupon, the two houſes recalled the commiſſioners, who were now gone to diſband the army, and ſent for the money which had been lodged in ſeveral places for the payment of the ſoldiers. But three thouſand five hundred pounds carrying to London, was ſtopped by colonel Rainſborough's men at Woodſtock. It was very evident, the army was unwilling to be diſbanded; but the parliament not being in a condition to command obedience, were forced to ſtay till a more convenient ſeaſon, without relinquiſhing however their deſign. Their intention was to divide the army, under colour of the neceſſity of ſending forces into Ireland; and, the better to ingage the ſoldiers to leave the army, it was voted, that a month's pay ſhould be given to thoſe that would quit their regiments and ſerve in Ireland. They hoped by this means to form an army equal or ſuperior to that which refuſed to obey, wherein they were greatly miſtaken. (Mean while, to give ſome ſatisfaction to the army, it was ordered by the commons, that the ſubordinate officers and ſoldiers ſhould have all their arrears, deducting for free quarters according to the uſual rules of the army. That the commiſſion-officers ſhould have one month's pay more added to the two months arrears formerly voted. Laſtly, that the declaration againſt thoſe that drew up the and form the project to divide the army. Ruſhworth, Ibid. and p. 500. Ibid. Whitelock. Ruſhworth, VI. p. 501, 502. Holles's Mem.

1647. first petition ſhould be razed out of the journal of the houſe [1]. But all this was not capable of contenting the army, who were reſolved not to be ſatisfied. The directors of theſe proceedings had a mind to continue the army, in order to be able to oppoſe the preſbyterians, who were ſuperior in the parliament. So, the reaſons alledged by the army being only pretences, though every thing had been granted others would have been deviſed to prevent their diſbanding; and indeed, it will preſently appear, that leſt all their deſires ſhould be granted, they added new demands, which the parliament could not comply with.

Clarendon, III. p. 35.

The diviſion between the parliament and army increaſes. Holles's Mem. Ruſhworth, VI. p. 505, &c. Ludlow. T. I. p. 190.

It was eaſy to perceive, that every thing tended to a breach between the parliament and the army. The parliament accuſed the army of mutiny and ſedition [2], and the army pretended, that the parliament, under colour of ſending forces into Ireland, thought of forming a new army, to become maſters of the kingdom, when the old one ſhould be caſhiered, or to kindle a freſh war in caſe the troops refuſed to obey. But they were far from being upon an equality. The army had the ſword in their hands, and though ſome officers and ſoldiers had quitted their regiments for the ſervice of Ireland, their number was inconſiderable [3]: all the reſt remained united, and were ſupported by moſt of the generals, who being againſt the parliament, privately cheriſhed the diſcontent of the officers and ſoldiers. The parliament had no forces to compel the army to obedience, and therefore were terribly embaraſſed. They durſt not drive the army to extremities; and on the other hand, they plainly perceived, that the diſcord was fomented by the leaders of the independents, who ſought the deſtruction of the parliament, for fear the parliament ſhould deſtroy them, as indeed both houſes intended.

This therefore was a critical ſeaſon, the point being to know who ſhould be maſter, the parliament or the independent party. But theſe had the army on their ſide, and that alone balanced the power and authority of the parliament. They had ſo well laid their meaſures, by means of the agitators, that the army was become a ſort of republic, where the ſuffrages of the common ſoldiers were upon a level with thoſe

[1] Here, ſays Whitelock, the parliament began to ſurrender themſelves and their power into the hands of their own army. Mem. p. 250.

[2] Some moved, That the petitioning ſoldiers might be declared traitors. Others reſolved to ſecure Cromwell, but he being advertiſed of it, went to the army. Ludlow, Tom. 1. p. 190.

[3] There were not above fifteen hundred or two thouſand. See Holles's Mem. p. 76. and Ruſhworth, Tom. 6. p. 477, &c.

those of the generals; nay, the soldiers did not think themselves obliged to follow or to ask the advice of their officers. Hence sprung confusion, which was suffered to prevail. Every thing was done in the name of the army, a loose term which signified, sometimes the council of war alone, sometimes the council of agitators, now both councils together, and now, the agitators of some particular regiments. In this last sense must be understood the enterprise performed, in the name of the army, by the agitators of some regiments of horse, of carrying away the king by force from Holmby-house to Newmarket [1]. 1647.

The king is carried away by force from Holmby.

To execute this design, they chose cornet Joyce, one of the agitators of his regiment, who, from a taylor before the war, was become an officer and had signalized himself for his bravery. Joyce being put at the head of fifty horse, marched directly to Holmby, and came there in the night, after the king was in bed. Having secured the avenues, he went up with two or three more to the king's chamber, and caused the door to be opened. The king getting up, asked him what he meant. Joyce answered, he intended to carry him to the army, for they had received certain advice, there was a design to convey him away by force. The king asked him, whether he had the general's orders? He replied, no, but that he was authorised by the army, and as he held a pistol in his hand, sufficiently intimated, it was by that he was chiefly empowered [2]. The parliament's commissioners who were at Holmby to take care of the king, would have opposed this violence: but the king's guard refusing to make any resistance, and the troops that were in the neighbouring villages to relieve the guard every day, would not come. At last, after many disputes, all the king could obtain was to stay till the morning. That same night he writ a note, which he intrusted with the earl of Dumfermling, to acquaint the two houses, he was carried away from Holmby against his will, and that they should not give any credit to what he might afterwards write whilst under restraint. The next morning he went into the coach and was conducted by Joyce,

June 4. Clarendon, III. p. 36. Heath. Herbert's Mem. Rushworth, VI. p. 503, 513, 545, 549. Ludlow. T. I. p. 191. Holles's Mem.

The king is conducted to Newmarket. Rushworth, Whitelock.

[1] Ludlow gives this reason for seizing the king: that the agitators were afraid, those who had shewed themselves so forward to close with the king out of principle, upon any terms, would, for their own preservation, receive him without any, or rather put themselves under his protection; that they might the better subdue the army, and reduce them to obedience by force. Tom. I. p. 191.

[2] The king requiring Joyce to shew his commission, he shewed the soldiers that attended him. Whereupon the king said, Believe me, your instructions are written in a very legible character. Warwick's Mem. p. 299.——There being five hundred proper men on horseback, says Whitelock, p. 251.

1647. Joyce, who carried him that night to colonel Montague's, and the next day to New-market.

The army's petition to the general.

Whilſt theſe things paſſed, the general having appointed a rendezvous of the army at New-market, for the 4th and 5th of June, the ſeveral regiments preſented a petition to him, complaining of the votes paſſed in parliament the 21ſt and 25th of May, as not being ſatisfactory, for the following reaſons:

Ruſhworth, VI. p. 505.

"1. That eight weeks arrear to be paid at diſbanding, "was but a mean reward for all their labours, and a very "ſlender ſupply to carry them to their homes, and ſet them "up again in their former callings and conditions.

"2. That in the orders given for the ſtating of their ac- "compts, they found no conſideration or regard had of "their arrears incurred in the former army commanded by "the earl of Eſſex, which to the moſt of them were much "greater than thoſe under the new model.

"3. That three ſhillings a week was to be abated to foot "ſoldiers for quarter, which was more than they ſhould "have paid for themſelves, if they timely had their pay.

"4. That there was no proviſion or allowance made in "relation to any quarters diſcharged by them.

"5. That, contrary to cuſtom, no trooper was capable "of allowance for arrears, unleſs he delivered in his horſe "and arms.

"6. That the viſible ſecurity for what arrears ſhould not "be paid at diſbanding, appeared to them inſufficient.

"7. That the ordinance voted, to exempt from preſſing, "for the ſervice of Ireland, ſuch as had ſerved as volunteers "in the army, was defective; becauſe after their diſcharge, "it was very difficult for them to obtain a teſtimonial of "their paſt ſervices.

"8. That the ordinance for the maintenance of maimed "ſoldiers, *&c.* had not yet paſſed in parliament.

"9. That the ordinance for indemnity ſeemed to make "but ſlender proviſion for their ſafety.

"10. That no reparation had been made to thoſe officers "of the army, that had been at ſeveral times ſent for to "attend the parliament as delinquents, though they had "been found innocent.

"11. That there had been yet nothing declared by the "parliament, to clear them as to their right of petitioning.

(There was in this article heavy complaints againſt the parliament's arbitrary power.)

"12. That

"12. That the declaration made againſt the army was "yet ſtanding in force." 1647.

"13. That nothing had yet been done towards the diſ- "covery or cenſure of thoſe that had wronged the army, "and abuſed the parliament, ſo as to procure the proceed- "ings againſt them, with relation to their petition."

It is eaſy to perceive, theſe complaints were but mere pretences, or at leaſt, if the army had not reſolved to be ſatisfied upon no terms, theſe differences might poſſibly have been adjuſted. But this was only a preparative to what they had reſolved to do. The next day, June the 5th, the officers and ſoldiers ſubſcribed a paper, which they called *a ſolemn engagement*, whereby they conſented to diſband, when required by the parliament, but on condition, "That they "ſhould firſt have ſuch ſatisfaction in relation to their grie- "vances, and ſuch ſecurity as to their perſons, as ſhould "be agreed unto by a council to conſiſt of thoſe general "officers (who had concurred with the army) with two "commiſſion officers, and two ſoldiers to be choſen for "each regiment; and declared, that without ſuch ſatisfac- "tion, and ſuch ſecurity they would not willingly diſband, "nor ſuffer themſelves to be diſbanded or divided." Engagement ſigned by the army. Id. p. 510.

This engagement was ſeconded with petitions from the inhabitants of the counties of Eſſex, Suffolk, and Norfolk, intreating the general, not to ſuffer the army to be diſbanded till every thing relating to the government was ſettled.

June the 7th, both houſes received a letter from the general acquainting them, that the ſoldiers at Holmby had brought the king thence by conſent, having thought proper to ſecure his perſon, from an apprehenſion of forces gathering to fall upon them, and force him out of their hands. That as ſoon as he knew it, he ſent colonel Whaley's regiment to guard the king; after which, for prevention of danger, he had ſent two regiments more to reinforce colonel Whaley. That Whaley had deſired the king and the commiſſioners, in his name, to return to Holmby, but that his majeſty was not willing to go back. That upon this, he had ſent Sir Hardreſs Waller and colonel Lambert, to deſire the commiſſioners to think of returning to Holmby, but that the commiſſioners refuſed to act in diſpoſing of the king. He affirmed moreover, that neither himſelf, nor the officers about him, nor the body of the army were concerned in removing the king, proteſting that it was his as well as the army's deſire, to ſtudy to ſettle a firm peace. That they had no intention to oppoſe The general's letter about the carrying away the king. Id. p. 545. Whitelock.

1647. preſbytery, or ſet up the independent-government, but to leave all to the wiſdom of the parliament, without advancing any particular party or intereſt.

It was a very ſtrange thing, that the king ſhould be removed from Holmby by fifty troopers, without any orders from the general or the officers about him, and without the conſent of the body of the army; and that the general officers ſhould ſuffer him to be in the center of the quarters of the army, without inquiring after thoſe who gave, or thoſe who executed, ſuch an order. This ſhowed, there was ſome myſtery in it, which it was not thought proper to diſcover to the parliament, and that Joyce knew he ſhould be protected if called to an account. On the other hand, though the king had ſent word to both houſes, that he was unwillingly removed [1], it appears by the general's letter, that his majeſty conſented to it, and was unwilling to return to Holmby, when it was in his power. All this ſeems very myſterious, and I do not believe the publick was ever fully informed of what paſſed before the removal of the king. What followed makes it conjectured, that ſome of the general officers believed it to be abſolutely neceſſary for their intereſt to have the king in their power, at a time when they thought there was reaſon to fear, the parliament would come to an agreement with him, and that they cauſed him to be taken away from Holmby by perſons without warrant, well-knowing, they ſhould be powerful enough to hinder the affair from being ſtrictly examined. It may be, the king himſelf was privy to it, ſince he was unwilling to return to Holmby, and appeared, for ſome time, much more at eaſe in the hands of the army, than when he was in the parliament's power.

Rushworth, VI. p. 504, 515. Whitelock.

Votes of the commons. Rushworth, VI. p. 550.

The commons ſeeing the army maſter of the king's perſon, and unwilling to diſband, reſolved at leaſt to ſhow the publick by their votes, that the imputations laid to their charge by the army were groundleſs, and that they were not ſwayed by ſelf-intereſted motives. So, June the 10th, they confirmed the ſelf-denying ordinance, and "declared to be "void all places held by members of parliament." They voted, "That the lands and eſtates of all members of the "houſe ſhould be liable to the law for payment of their "debts."

[1] At a conference, June the 5th, between the Scotch commiſſioners, and the committee of both houſes, the lord Dumfermling acquainted them, that the king commanded him to tell them, "That his majeſty was unwillingly "taken away by a party of the army, "and that he deſired both houſes to "maintain the laws of the land; and "that though his majeſty might ſign "many things in this condition, yet "he would not have them believed, "till farther notice from him." Whitelock, p. 251.

"debts." They appointed a day to hear informations against members, and ordered that no member ſhould hereafter receive any reparation for damages, till the publick debts were firſt ſatisfied. 1647.

Nevertheleſs the army began to march, and advanced to St. Albans within twenty miles of London. At the ſame time, the general ſent to both houſes the reſult of the late council of war at Newmarket, and intreated them to think of ſome way to ſatisfy the troops. The army marches towards London. Ruſhworth, VI. p. 552, 553.

The approach of the army threw the parliament and city into great conſternation, and an ordinance was paſſed, to enable the committee of the militia of London to raiſe horſes. They ſeemed to intend to put themſelves in a poſture of defence againſt the army. Within a few hours after, the city received a letter ſigned by the general and all the other general officers, complaining, there were certain members of parliament who endeavoured to ingage the kingdom in a new war, as having no other way to protect themſelves from the puniſhment they juſtly deſerved. Adding, that they deſired no alteration of the civil government, nor in the leaſt to hinder the ſettling of preſbyterianiſm, neither did they intend any evil to the city, if they appeared not to aſſiſt that wicked party, who would embroil them and the kingdom. That they were ready to remove at a farther diſtance, if they were aſſured, that a ſpeedy ſettlement of things was in hand. That if, after all, the city ſhould be ſeduced to riſe up againſt the army, ruin and deſtruction would enſue. The complaints of the army againſt ſome of the commoos. Id. p. 552, 554. Clarendon, III. p. 38.

This letter was communicated to the parliament, who writ to the general, to deſire that the army might not come within twenty-five miles [1] of the city; but it was already advanced to St. Albans. The ſame day, the commons ordered, that the ſum of ten thouſand pounds ſhould be paid to ſuch officers and ſoldiers as ſhould leave the army and ingage in the ſervice of Ireland, with which the army was highly diſpleaſed, plainly perceiving, the parliament's deſign was to divide them. The parliament tries to divide the army, June 11. Ruſhworth, VI. p. 553, 555. Clarendon, III. p. 38.

The next day, upon a falſe rumour of the army's near approach to the city, the militia of London ordered all the trained-bands to be raiſed on pain of death. But preſently after the order was revoked. However, ſoldiers were liſted by order of parliament. and put themſelves in a poſture of defence. June 12. Ruſhworth, VI. p. 557.

In this interval, the common-council of London ſent an anſwer to the general and officers, wherein they ſaid, the city The common council's letter to the general. Ibid.

[1] Whitelock ſays, fifteen miles. Mem. p. 252.

1647. city intended no evil to the army, but only to defend the parliament and themſelves againſt any unlawful violence. That they did not take up arms with intent to hinder the obtaining of the army's juſt demands. That on the contrary, they had preſented their addreſſes to the parliament for the obtaining thereof; and only requeſted, they would demand no more than what ſhould be juſt and reaſonable.

Id. p. 560. The ſame day, the parliament ſent commiſſioners to the army [1], to know what were their deſires. The general anſwered, in letters to both houſes, that the army offered, for a month's pay, not to draw their quarters nearer London, without firſt giving notice of it to the parliament's commiſſioners.

Mean while, the army continued to render themſelves formidable, as well by their nearneſs, as by their demands which daily roſe higher. At firſt, they proteſted, they would not meddle in any thing not immediately relating to themſelves, and that their intention was to leave the care of the government to the wiſdom of the two houſes. But when they found, the parliament gave way, and wanted power or reſolution, they advanced one ſtep farther, and by a declaration preſented to both houſes, demanded:

The repreſentation of the army. June 14. Id. p. 565. Whitelock.

"1. That the houſes might be purged of ſuch members, "as for their delinquency, or for corruptions, or undue "elections ought not to ſit there.

"2. That thoſe perſons who had appeared againſt the "army, might ſpeedily be diſabled from doing the like; "and for that purpoſe, might be made incapable of being "the ſoldiers judges, when diſbanded.

"3. That ſome determinate period of time might be ſet "for the continuance of that and future parliaments, be-"yond which none ſhould continue; that the members of "the houſe might not have the temptation or advantage "of an unlimited power to perpetuate injuſtice or oppreſ-"ſion, but might be in a capacity to taſte of ſubjection as "well as rule.

"4. That parliaments might not be adjournable or diſ-"ſolvable, any other ways, than by their own conſent.

"5. That the right and freedom of the people to pre-"ſent petitions to the parliament might be cleared, and "vindicated.

"6. That the large powers given to committees or de-"puty-lieutenants, might be taken away, or regulated.

"7.

[1] Sir Thomas Widdrington, and colonel White, Rushworth, Tom. VI. p. 560.

" 7. That the kingdom might be righted and publickly 1647.
" ſatisfied in point of accounts, for the ſums that had been
" levied and paid.

" 8. That after publick juſtice was firſt ſatisfied by ſome
" few examples on delinquents, a general act of oblivion
" ſhould be paſſed."

After theſe demands, the army proteſted, " That their
" deſign was not to overthrow preſbytery, and eſtabliſh
" the independent government. But they only deſired,
" that there might be ſome effectual courſe taken, that ſuch
" who upon conſcientious grounds differed from the eſta-
" bliſhed forms, might not for that be debarred from the
" common rights, liberties, or benefits belonging equally
" to all, while they lived ſoberly and inoffenſively towards
" others, and peaceably and faithfully towards the ſtate."

The army accuſes eleven members. June 16. Ruſhworth, VI. p. 570. Holles's Mem. Clarendon. III. p. 44. Whitelock. Ludlow.

It was eaſy to perceive, the army no longer contented themſelves with meddling in their own affairs, but wanted to have a ſhare in the civil government. There were in the houſe of commons very able men, who knew the deſigns of the independents, and would have baffled them, had they been ſupported with power. To this end it was, they had projected the forming, out of the old, a new army for Ireland, and to caſhier the reſt of the forces. This project tended directly to the ruin of the independent party. Accordingly, Cromwell and his aſſociates uſed all their endeavours to countermine the artifices of their enemies, by inſpiring the army with diſcontent, and cheriſhing it in the fore-mentioned manner. In ſhort, having tried the parliament, they thought themſelves ſtrong enough to ſtrike a bolder ſtroke, in uſing always the army's name, which they had moulded to their purpoſes. To this end, they cauſed it to be reſolved in a council of war, that the army ſhould prefer a charge againſt the ableſt and moſt powerful members of the commons, who in a manner governed and directed the houſe. Theſe were the men the independent party had chiefly to fear. This reſolution being taken, the army deputed ſome officers to carry in their name, to the parliament, a charge againſt eleven members, namely, Holles, Stapleton, Lewis, Clotworthy, Waller, Maynard, Maſſey, Glyn, Long, Harley, and Nichols.

The articles of their accuſation. Ruſhworth, VI. p. 570.

The general articles of the charge were:

" 1. That the perſons above-named had, in an arbitrary
" and violent manner, infringed the rights and liberties of
" the nation, and endeavoured by indirect and corrupt prac-
" tices to delay and obſtruct juſtice.

1647. " 2. That the army being, until the middle of March
" laſt, in an orderly condition, and ready, either quietly to
" have diſbanded, or elſe to have ingaged in the ſervice of
" Ireland, thoſe members had endeavoured by falſe infor-
" mations to beget miſunderſtandings and jealouſies in the
" parliament againſt the army.

" 3. That whereas the parliament might have had out
" of the army, an intire force for the reduction of Ireland,
" thoſe perſons had attempted to pull the army in pieces,
" and to put the kingdom to the trouble and expence of
" raiſing a new force for that ſervice.

" 4. That they had diverted the forces engaged for the
" ſervice of Ireland, and endeavoured to apply them to
" carry on deſperate deſigns of their own in England; and
" had alſo raiſed new forces under pretence to guard the
" parliament, and privately liſted officers and ſoldiers, for
" embroiling the kingdom in a new and bloody war.

" 5. That they had invited and encouraged divers refor-
" mado's, and other officers and ſoldiers, tumultuouſly to
" gather together at Weſtminſter to affright and aſſault the
" members of parliament."

The very next day, the army ſent propoſals to the commons, wherein they deſired:

The army's demands. Id. p. 572. Whitelock, p. 253.

" That the perſons impeached might be forthwith ſuſ-
" pended from ſitting in the houſe.

" That there might be a month's pay immediately ſent
" to the army.

" That if the officers and ſoldiers of the army who had
" engaged for Ireland, or thoſe who had deſerted the army
" and come to London, had ſince then received more than
" a month's pay, there might be ſo much more money
" ſent down to the army.

" That during the debate and tranſaction betwixt the
" parliament and the army, about raiſing and liſting new
" forces, the parliament would not ſuffer any new forces to
" be raiſed within the kingdom."

Theſe demands extremely embarraſſed the parliament. They could not reject them without furniſhing the army with a pretence to march to London, where was nothing ready to oppoſe them, and by granting them, they gave them occaſion to make further demands. This embaraſſment was the greater, as ſeveral counties ſeconded the army, and pretended, it was abſolutely neceſſary to continue them, to ſtop the progreſs of the arbitrary power aſſumed by the parliament. We have already ſeen, that the counties of

Eſſex,

Eſſex, Suffolk, and Norfolk, had in ſome meaſure declared for the army. Buckinghamſhire and Hertfordſhire followed this example, and Glamorganſhire openly complained, by deputies ſent on purpoſe, that the people were oppreſſed by the parliament and by the committees ſettled in the ſeveral counties [1]. 1647. Some counties are for the army. Ruſhworth, VI. p. 520, 559, 573, 575, 578.

Whereupon the two houſes thought proper to appeaſe the impending ſtorm, by giving ſatisfaction to the army, in order to remove all pretence of complaint; for it was eaſy to perceive, that was what they wanted. It was therefore reſolved, that the order for lifting of forces, and the commiſſion given to the committee of the militia of London to augment the trained-bands ſhould be void: that the army ſhould have a month's pay, and the general be required to remove it forty miles from London. Some days after, a month's pay was alſo granted to the forces in the north, and to let the army ſee there was no deſign to diſband them, the parliament paſſed an ordinance for raiſing ſixty thouſand pounds a month for the maintenance of the army, and for the ſervice of Ireland [2]. Laſtly, the houſe of commons writ to the general, that they were ready to receive from him any particular charge againſt the eleven accuſed members. The parliament reſolves to ſatisfy the army. June 16. Id. p. 574, 575, 581. Id. p. 582. p. 584. Whitelock.

This condeſcenſion might have produced peace between the parliament and the army, if peace had been what the army deſired. But inſtead of being obliged to the parliament for this compliance, they were rather incenſed at it, as being ſenſible, the deſign of it was only to break their meaſures, by taking away all pretence of complaint. They would have been better pleaſed, that all their demands had been denied, in order to have an excuſe to do themſelves juſtice. They were afraid the parliament, by endeavouring to gain time, would privately take meaſures, the effects whereof would not appear perhaps till it ſhould be too late to prevent them. Wherefore, far from being contented, they preſented a remonſtrance to the parliament, whereby they ſufficiently diſcovered their diſinclination to an agreement. This remonſtrance contained the following complaints of the officers and ſoldiers; The army is not contented. June 23.

"That they had yet received no anſwer or reſolution "about the eleven accuſed members. This point they "largely Other demands of the army. Ruſhworth, VI. p. 585.

[1] It was ſtrange (ſays Whitelock) to ſee, how ſeveral counties, and the citizens of London began to make all their application to the general and the army, omitting the parliament, and all looked upon the army in the chief place, and were afraid of doing any thing contrary to them. Mem. p. 254.

[2] This monthly ſum was raiſed, by rating each county at ſo much. Eſſex paid the ſum of 4547 l. 9 s. 5 d. See Ruſhworth, Tom. VI. p. 582.

1647. "largely inſiſted upon, and pretended they could not expect "they ſhould be called to an account, ſo long as they con- "tinued in ſuch power, both in the houſe, and in all the "committees of the higheſt truſt, as they actually did.

"That the army was commanded to forty miles diſtance "from London, and his majeſty's perſon demanded imme- "diately to Richmond houſe [1], within eight miles of Lon- "don, to put his majeſty within reach of thoſe mens power.

"That it was induſtriouſly publiſhed, that his majeſty "was kept a priſoner in the army, and barbarouſly and "uncivilly uſed; but all ſuggeſtions of that ſort were moſt "falſe.

"Laſtly, after many complaints of publick and private "grievances, they ſaid, that they ſhould be enforced, by "the parliament's affected delays, to take extraordinary "courſes to put things to a ſpeedy iſſue, unleſs by Thurſ- "day night next they received aſſurance and ſecurity on the "following articles:

"1. That the declaration inviting men to deſert the "army, be recalled and annulled.

"2. That the army may be preſently paid up, equally "to thoſe that have deſerted it.

"3. That his majeſty's coming to Richmond may be "ſuſpended; and in the mean time, no place may be ap- "pointed for his majeſty's reſidence any nearer to London "than the parliament will allow the quarters of the army "to be.

"4. That the members charged may be forthwith ſuſ- "pended the houſe.

"5. That thoſe that have deſerted the army may be in- "ſtantly diſcharged, and receive no more of their arrears "till the army be firſt ſatisfied.

"6. That both parliament and city may be freed from "thoſe multitudes of reformado's, and other ſoldiers, that "flock together about London.

"7. That all liſtings, or raiſings of new forces may be "effectually ſuppreſſed.

"8. That the perplexed affairs of the kingdom, and "thoſe concerning the army, may be put into ſome ſpeedy "way of ſettling and compoſure [2]."

It

[1] This was ordered by the parliament on June 15. Idem, p. 563.

[2] In theſe declarations and tranſactions of the army, colonel Ireton was chiefly employed, or took upon him the buſineſs of the pen. And having been bred in the Middle-Temple, and learned ſome grounds of the law of England, and being of a working and laborious brain and fancy, he ſet himſelf

It was visible, the army sought a pretence to quarrel, and as it was their interest to break very soon, for fear secret measures might be taken against them, so was it the parliament's business to gain time. To that purpose, they empowered the commissioners in the army to treat with them upon all the points in dispute. 1647.

The parliament send deputies to the army to treat with them.

Mean while, the commons voted, "That by the law "no judgment can be given to suspend the eleven members "from sitting in the house, upon the papers presented "from the army, before the particulars be produced, and "proofs made." But an expedient was found to soften this refusal, namely, that the parties accused should, of their own accord, desire leave to absent themselves from the house, which was granted, and the army remained satisfied [1].

Id. p. 593.

The eleven members desire leave to absent themselves.

June 25. Rushworth, VI. p. 592, 593.

About the same time, the army drawing a little nearer London, probably, with design to awe the parliament, the general writ to the lord-mayor and aldermen, that they had nothing to fear from the army, who had no ill-intention against the city. And indeed, it was resolved in a council of war, that there should be no farther advance of the army than to Uxbridge.

The general's letter to the city.

June 26. Rushworth, VI. p. 592, 593.

It is certain, there were many in the city and parliament that wished to see a breach between the two houses and the army. Some, doubtless, imagined such a breach would be very advantageous to the king, and that one or other of the two parties would join with him, and be directed by him. Nay, the king flattered himself with these hopes. The army shewed great regard for him, and some of the officers even hinted to him, they were labouring for his restoration. For this reason the two houses thought it very necessary to avoid a breach, which could not but produce many ill effects. Both houses therefore voted, that they considered the army commanded by general Fairfax, as their army, and would make provision for their maintenance. It was farther ordered, that they should have a month's pay, and no officer or soldier should leave the army without licence from the general; that all reformado's should remove from the city,

The parliament contents the army. Clarendon.

Rushworth, VI. p. 596, 597.

self much upon these businesses, and was therein encouraged and assisted by lieutenant-general Cromwell, his father-in-law, and by colonel Lambert, who had likewise studied in the inns of court, and was of a subtle working brain. Whitelock, p. 254.

1 Denzil Holles, Sir Philip Stapleton, and Walter Long, went together in a ship to France, where Stapleton, that gallant English gentleman (says Whitelock) died within two or three days landing at Calais, as some suspected of the plague. Others of the eleven members went into other parts, and some of them retired into their countries, and there lived privately; Mr. Holles continued in Bretagne till the restoration. Whitelock, p. 256.

1647. and the king reſide no nearer London than the army. Theſe votes being communicated to the army, they ſeemed ſo well pleaſed with them, that they reſolved to remove from London, to ſhow they intended to uſe no force upon the parliament, and the head-quarters were appointed at Wickham.

Id. p. 596. Whitelock.

P'ot at London ag inſt the army. Wh telock.

Whilſt the parliament was endeavouring to content the army, a plot was forming in London, to compel the two houſes to take other meaſures, and oppoſe the army.[1]. The presbyterians were not pleaſed to ſee the independents gain ſo much ground, and cenſured the parliament for thus meanly complying with the army. The magiſtrates of London came into the plot, as well as the moſt zealous presbyterian members of parliament, who had not been able to hinder the late votes for preventing a breach with the army. The authors of the plot had ſent private agents into Scotland to deſire aſſiſtance. Nay, it was whiſpered in London, that Scotland was going to declare againſt the army.

Ruſhworth, VI. p. 597, 627.

Petition of the common-council to the parliament. July 2. Id. p. 597. Whitelock.

The firſt ſtep taken by the conſpirators was to preſent to the parliament, a petition from the common-council of London, wherein they expreſſed ſome ſuſpicion of their conduct. This was, doubtleſs, in order to have a pretence to complain more openly afterwards, and to begin to leſſen the people's prepoſſeſſion in favour of the parliament. In this petition, the city complained of the arbitrary power exerciſed by the parliament's committees, as well as of the ill-management of the publick money, and deſired:

" 1. That preſent command be given, that no officer of " war, or ſoldier, do enter London, under pretence of re- " ceiving their arrears.

" 2. That ſuch officers and ſoldiers as are already paid, " if their uſual habitation and employment have been with- " in London, be enjoined forthwith to betake themſelves " to their calling; and ſuch as have dwellings in the country " be required to depart within two days after publication.

" 3. That all who have been in arms againſt the parlia- " ment, be enjoined upon pain of impriſonment, within " twenty-four hours after publication, to repair to their ſe- " veral habitations.

" 4. That ſuch commanders and ſoldiers as have come " in from the army, and received their monies, may be " otherwiſe diſpoſed of as the parliament ſhall think fit.

" 5.

[1] It was chiefly carried on by the eleven members and their friends. One Cuſins, alderman of Newcaſtle, was employed to negotiate with the Scots. Whitelock, p. 257, 261.

" 5. That all perſons whatſoever that are poſſeſſed of 1647.
" any monies or goods belonging to the publick, may be
" enjoined to bring the ſame, within one month after pub-
" lication, into ſome publick treaſury.

" 6. That all revenues be managed under ſuch commiſ-
" ſions, and by ſuch perſons, as, notwithſtanding any pri-
" vilege of parliament, may be held to ſuch rules as are
" or ſhall be preſcribed therein.

" 7. That the parliament would for the preſent lay aſide
" all buſineſſes of leſſer conſequence, and improve their
" time and utmoſt endeavour, that ſuch laws may be pre-
" pared for his majeſty's concurrence, as may ſettle the
" government of the church, ſecure the people from all un-
" lawful and arbitrary power whatſoever in future, and re-
" ſtore his majeſty to his juſt rights and authority, according
" to the covenant.

" 8. And, that the people may be the better ſecured to
" enjoy the intended effects of ſuch laws as ſhall be ſo made
" with the royal aſſent, that eſpecial care be taken, that
" all officers of ſtate, and other miniſters of juſtice, may
" be perſons of honour, of conſiderable intereſt, and of
" known integrity.

" 9. That the parliament would pleaſe to provide for the
" carrying on of the affairs in Ireland.

" 10. That by juſt and good means the correſpondence
" with Scotland may be maintained and preſerved.

" 11. That the houſe of commons would pleaſe to give
" order for a ſpeedy examination of all unlawful elections
" and returns of the members thereof.

" 12. That ſome ſpeedy courſe may be taken for the
" deciding of all cauſes formerly determinable in the court
" of admiralty.

" 13. That ſatisfaction being made by delinquents, an
" act of oblivion may be paſſed."

To incenſe the Londoners againſt the army, it was ru- Whitelock, p. 258.
moured, that they deſigned to declare for the king[1]. Nay, Ruſhworth, VI. p. 602, 610.
a pamphlet was diſperſed in London, entitled, '*Heads preſented by the army to the king's majeſty.*' But the army diſowned it by a publick declaration.

Difference between the parliament's and army's commiſſioners.

The parliament having impowered their commiſſioners[2] to treat with the army, they nominated on their part, Crom-

well,

[1] Many of the chief in the army gave out, That the intentions of the officers and ſoldiers were, to eſtabliſh his majeſty in his juſt rights. Ludlow, Tom. I. p. 195.

[2] They were the earl of Nottingham, Lord Wharton, Skippon, Sir Henry Vane, jun. Sir Tho. Widdrington, Id. p. 603, &c. 626.

1647. well, Ireton, Fleetwood, Rainſborough, Harriſon, Sir Hardreſs Waller, Rich, Lambert, Hammond, and major Rainſborough, all independents and heads of the party in the army. It appears by memoirs, inſerted in Ruſhworth's collections, that the army's commiſſioners would not begin to treat, before the parliament ſhould have granted ſome things they demanded, and really performed them. They complained, that the parliament ſeemed indeed by their votes to comply with the army's deſires, but delayed to put them in execution. The parliament's commiſſioners endeavoured on their ſide to avoid having theſe points conſidered as granted preliminaries, and inſiſted upon their making part of the negotiation.

p. 608, &c. 633.

Different ſentiments in the parliament. Clarendon, III. p. 37.

This ſhews, the parliament ſought to gain time, and ſeemed inclined to give the army ſatisfaction, only becauſe it could not be avoided. The commons were almoſt all preſbyterians, and conſequently were vexed to ſee themſelves obliged to ſtoop to the independents, who were maſters of the army. Among the preſbyterian members, there were not a few, who, being very warm, would have gladly hazarded a breach with the army, rather than be forced to receive law from them. But the reſt, being the majority, tho' no leſs enemies to the independents, thought it more adviſeable to have patience, and try to amuſe the army till ſome aid might be ſecured, rather than furniſh them with a pretence to march to London, and ruin at once the preſbyterian party and the parliament. Accordingly, theſe prevailing in both houſes, every thing ſeemed to tend to an agreement, which could not but be fatal to the preſbyterians: however, there was no way to avoid it. For this reaſon, the parliament forbid the reformado-officers to come into London for two months, and gave very ſtrict orders againſt liſting of ſoldiers, which was privately tranſacting in the city.

Ruſhworth, VI. p. 595.

The continuance of the plot. Whitelock.

Mean while, the project of raiſing forces in London to oppoſe the army ſtill continued, though with the utmoſt ſecrecy, and the agents in Scotland cauſed much to be expected from the Scots, as being concerned to ſupport the preſbyterian party. But the authors of this project could hardly flatter themſelves that the aſſiſtance of Scotland could be ready in time, ſince the parliament and army were upon terms of accommodation. They found therefore, they were either to break off the accommodation, or reſolve to ſee all their

ton, colonel White, Robert Scawen, and Thomas Povey, eſqrs. Ruſhworth, Tom. VI. p. 605.

their hopes vaniſh, and ſuffer presbyterianiſm to be trampled upon by the independents. To ſucceed in the deſign of preventing a peace between the parliament and army, they found no better way than to excite the people, to force the parliament to alter their meaſures. They got therefore the apprentices and London-mob, to preſent petitions, that the presbyterian government might be firmly eſtabliſhed: the inſolence of ſectaries curbed: the army paid off and disbanded; and other things of the like nature deſtructive of the projected agreement. 1647. July 13. Ruſhworth, VI. p. 614. —619. Clarendon, III. p. 47.

On the other hand, the forces in the North, and the horſe quartered at Nottingham, publiſhed declarations of their adherence to the army commanded by general Fairfax. Forces in the north adhere to the army.

About the ſame time, the parliament, at the army's requeſt, ordered the four regiments that came from the army, under pretence of engagement for Ireland, but remaining ſtill in the kingdom, to be disbanded. They permitted likewiſe the eleven accuſed members to go beyond ſea for ſix months, inſinuating to them by this permiſſion, that they would do well to take that courſe of their own accord. But as, probably, they were deeply concerned in the plot formed at London, if not the authors, they thanked the houſe for this favour, without being in haſte to take the benefit of it [1]. July 15. Ruſhworth, VI. p. 621. —625. The commons permit the eleven members to abſent themſelves for ſix months. Id. p. 628.

Mean while, the army hearing ſomething more than ordinary was contriving in London, and that ſuccours from Scotland were talked of, ſent a petition to the parliament, with theſe farther demands: "That a declaration be publiſhed againſt the bringing in of any foreign forces: that "the army be paid up equal with the deſerters thereof, and "put into a conſtant courſe of pay: that the committee of "the militia of London, that had been changed by ordi- "nance of the 4th of May laſt, be reſtored, and the mili- "tia of the city ſpeedily returned into thoſe hands who for- "merly gave large teſtimonies of their fidelity to the parlia- "ment and kingdom." Whereupon the parliament declared, that whoſoever ſhould bring in foreign forces, without the conſent of both houſes, ſhould be deemed traitors. It was voted likewiſe, that the militia of London ſhould be reſtored, The army's petition to the parliament. Id. p. 629. Clarendon, III. p. 46. Whitelock. Ruſhworth, VI. p. 631. p. 632-634. Whitelock.

[1] Holles, Stapleton, and Long, went to France. See note above. Ruſhworth ſays, that the eleven members, finding that the army declared, the proceeding upon particular proofs, to make good the charge, would probably take up much time, and hinder the ſettling of greater matters, petitioned the houſe that they might abſent themſelves for ſix months, to go about their particular affairs, or if they deſired it, beyond ſea. Idem. p. 628.

1647. restored to the old commiſſioners, and an ordinance was paſſed for that purpoſe. To underſtand this article, it muſt be obſerved, that in the beginning of May laſt, both houſes perceiving ſome motions in the army, thought proper to ſecure the militia of London, and put it into ſuch hands as they could confide in. To that end, they paſſed an ordinance the 4th of May, for chuſing a new committee of the militia of London, by which means none were admitted into the committee, or any office of the militia, but preſbyterians, entirely devoted to the party. This change it was, that both houſes repealed, at the army's requeſt, and reſtored the former commiſſioners.

Ruſhworth, VI. p. 472, 478. Clarendon, III. p. 46, 47.

The preſbyterian party, who had great credit in the city and poſſeſſed all the poſts, could not, without extreme regret, behold the parliament's condeſcenſion to the army, that is, to the independents. They ſaw that party daily increaſe, and in condition to give law to the parliament itſelf. For that reaſon, the rigid preſbyterians, ſeconded by the common-council of London, formed an engagement to aſſiſt one another, and oppoſe the army to the utmoſt of their power, upon a ſuppoſition, that the army intended to ſubvert what had been hitherto done to ſettle the peace of the kingdom. The engagement publickly ſubſcribed in London, was as follows:

A ſolemn engagement of the citizens, commanders, officers, and ſoldiers of the train'd-bands, and auxiliaries, the young men, and apprentices of the cities of London and Weſtminſter, ſea-commanders, ſeamen, and watermen; together with divers others, the commanders, officers, and ſoldiers, within the lines of communication, and pariſhes mentioned in the weekly bills of mortality.

Ruſhworth, VI. p. 639.

"WHEREAS we have entered into a ſolemn league and covenant, for reformation and defence of religion, the honour and happineſs of the kingdom, and the peace and ſafety of the three kingdoms of England, Scotland, and Ireland; all which we do eminently perceive to be endangered, and like to be deſtroyed: We do therefore, in purſuance of our ſaid covenaut, oath of allegiance, oath of every freeman in the cities of London and Weſtminſter, and proteſtation, ſolemnly engage ourſelves, and vow unto God Almighty, that we will, to the utmoſt of our power, cordially endeavour, that his majeſty may ſpeedily come to his own houſes of parliaments, with honour, ſafety and freedom, (and that without the nearer

"approach

" approach of the army) there to confirm ſuch things, as 1647.
" he has granted in his meſſage of the 12th of May laſt, in
" anſwer to the propoſitions of both kingdoms; and that
" by a perſonal treaty with his two houſes of parliament,
" and the commiſſioners of the kingdom of Scotland, ſuch
" things as are yet in difference, may be ſpeedily ſettled,
" and in a firm and laſting peace eſtabliſhed; for the effect-
" ing hereof, we do proteſt and re-oblige ourſelves, as in
" the preſence of God, the ſearcher of all hearts, with our
" lives and fortunes, to endeavour what in us lies, to pre-
" ſerve and defend his majeſty's royal perſon and authority,
" the privileges of parliament, and liberty of the ſubject,
" in their full and conſtant freedom, the cities of London
" and Weſtminſter, lines of communication and pariſhes
" mentioned in the weekly bills of mortality; and all others
" that ſhall adhere with us to the ſaid covenant, and oath
" of allegiance, oath of every freeman of London and Weſt-
" minſter, and proteſtation: Nor ſhall we by any means
" admit, ſuffer, or endure, any neutrality, in this common
" cauſe of God, the king, and kingdom; as we do expect
" the bleſſing of God Almighty, whoſe help we crave,
" and wholly devolve ourſelves upon, in this our under-
" taking."

The two houſes had no ſooner advice of this engagement, but they publiſhed by beat of drum and ſound of trumpet, a prohibition to ſign it. On the other hand, the general loudly complained to the parliament's commiſſioners, and deſired them to put a ſpeedy ſtop to the agitations in London, which tended to rekindle the war. At the ſame time, he ordered a ſtrict enquiry to be made in the army after all cavaliers, who had borne arms for the king, or were ſuſpected to be of his party, with a command to diſmiſs them forthwith.

The parliament forbids the ſigning it. July 24. Ruſhworth, VI. p. 635. 636, 639. Whitelock.

For two or three days there was a great commotion in London; aſſemblies were held, ſoldiers liſted, and orders given them to be ready upon the firſt notice. The common-council received two petitions, one from a great number of ſubſtantial citizens, the other from the young men and apprentices[1], to deſire, " That the militia might be " continued, as ſettled by ordinance of the 4th of May." Whereupon the common-council repreſented to the commons in a petition, " That having taken notice of the plea- " ſure of both houſes for conſtituting, by ordinance dated the

Commotions in London. Ruſhworth, VI. p. 640. —642. Two petitions concerning the militia. Whitelock. Clarendon, III. p. 47. Ludlow, T. I. p. 206.

[1] Among whom were ſeveral of the independents belonging to the army. Holles, p. 145.

1647. "the 23d of July, a new committee for the militia of the "city of London, and for determining of a former ordi- "nance for the ſame, dated the 4th of May laſt, they could "not but call to mind, how far both houſes of parliament "had formerly honoured the city, when they firſt eſtabliſh- "ed the committee for the militia, to take the ſenſe of this "court before they finally reſolved thereupon; which con- "fidence the petitioners are not conſcious to themſelves to "have forfeited. And next being ſenſible, what a general "diſtemper this ſudden change hath already made, and is "like to make, in the city, they could not but earneſtly "pray, that the militia which was eſtabliſhed by ordinance "of the 4th of May laſt, may be reſtored."

The parliament's perplexity.

The parliament was not a little embarraſſed in the preſent juncture, conſidering the impoſſibility of contenting at the ſame time, the army and the city, whoſe deſires were diametrically oppoſite. It is certain, moſt of the members were presbyterians, and conſequently ill-affected to the army. Had it been in their choice, they would have declared againſt and disbanded the army according to their intention. But ſince the army's approach to the city, the wiſeſt, who were the majority, had thought proper to comply, not ſeeing how the army could be oppoſed, if they proceeded to violence, as was very likely. But there was a good number of others who were for running all hazards rather than ſee the independents triumph. Mean while, theſe laſt privately cheriſhed the commotions in the city, imagining, the aſſiſtance they might receive from London, was ſufficient to reſiſt all attempts of the army. This was likewiſe the opinion of the common-council, the populace, and ſome general officers, as Sir William Waller, Poyntz, and Maſſey, who were removed by the new model, and were then in London. The only point therefore was to induce the parliament to join with them, and take vigorous reſolutions againſt the army. But as there was no likelihood of prevailing by fair means, it was reſolved to uſe force.

The young men and apprentices come and petition the parliament. Ruſhworth, VI. p. 642.

To that end, July the 26th, a great number of young men and apprentices, came to Weſtminſter, and preſented a petition to the houſe of commons, deſiring,

1. That the ordinance of the 23d of July for change of the militia of London, be immediately repealed.

2. That the city may be vindicated againſt a late pretended declaration, that thoſe are traitors who ſhall act to get ſubſcriptions, and that it may be revoked.

3.

3. That both houſes do preſently make an order, for calling in all abſent members, eſpecially the eleven late accuſed members, againſt whom there has been nothing proved to this day. 1647.

Theſe demands were ſuch, conſidering the preſent juncture, that it was no wonder much time was ſpent in debating by both houſes. But the people without, growing impatient, and perceiving theſe debates were intended only to amuſe them, made a great noiſe in the outer rooms. Some knocked at the door of the houſe; others threw in ſtones at the windows of the houſe of peers. In a word, they very plainly ſhowed, they would not ſuffer the two houſes to riſe, before they had received ſatisfaction. At laſt, both houſes ſeeing it would be in vain to reſiſt the multitude, who threatened to tear them in pieces, voted, "That the ordi- "nance of the 23d of July, for ſettling the militia of Lon- "don, and the declaration of the 24th of the ſame intent, "be null and void." This done, the houſe of commons adjourned till next day. But the multitude conſtrained the ſpeaker and members to reſume their places, and deſired them to vote, That the king ſhould come to London; which was done accordingly. On the morrow both houſes being met, adjourned to the 30th.

and conſtrain both houſes to grant their deſires. Whitelock, p. 261. Ludlow. T. I. p. 206. July 26. Ruſhworth, VI. p. 643. p. 644.

On the 28th, the common-council received a letter from the general, expreſſing his good-affection and tender care of the city, but withal his great diſlike of the petition, and the means uſed to promote it. At the ſame time, many young men and others attended the common-council, declaring their readineſs to ſupport the juſt privileges of the city againſt all oppoſers. Whereupon a letter was ſent by a meſſenger to the general, and ſix commiſſioners appointed to follow the next morning. In the letter, "They declared their incli- "nation to peace, intreating him, that the army might "not advance, nor intermeddle with the rights and privi- "leges of the city, conceiving that the ſtrengthening the "city for the ſafety thereof, was no juſt cauſe to provoke "the ſoldiers: and as for the petition, the parliament had "already declared their ſenſe of it, and therefore it was "needleſs for them to do it, and the rather for that it had "never been formally preſented to them."

The general's letter to the city. Id. p. 645. The common-council's anſwer. Ibid. Whitelock.

Mean while, the common-council having received intelligence that the army was advancing towards London, orders were given for the trained-bands to go to their works, and for all that could bear arms to appear the next morning at ſeveral places.

The city put themſelves in a poſture of defence. Ruſhworth, VI. p. 646. Whitelock.

1647. Both houſes meeting the 30th of July, the two ſpeakers did not appear, which obliged them to chuſe others in their room [1]. With the ſpeakers, a good number of members of both houſes were alſo departed from London, without any one's knowing whither. The abſence of theſe members, who were all friends to the army, rendered the contrary party ſo ſuperior, that the commons voted the ſame day, That the king ſhould come to London: that the militia of the city ſhould have full power to raiſe ſuch forces as they ſhould think fit, for the defence thereof: that they ſhould chuſe a commander in chief to be approved by the houſe, and ſuch commander to preſent other officers, to be approved by the militia. After that, the committee made choice of major-general Maſſey to command in chief, and ordered, that all reformado's and other officers ſhould the next day appear to be liſted in St. James's fields, and the forces already liſted to be put into a regimental way.

The two ſpeakers abſent themſelves.

Votes of the commons to reſiſt the army. Ruſhworth, VI. p. 646, Clarendon, III. p. 47. Holles's.

Maſſey made commander in chief. Whitelock.

The ſame day, the common-council received a letter from general Fairfax, dated the day before, wherein he ſpoke very ſharply of the tumult of the 26th, and of the violence upon the parliament. He ſaid, the guard ſent from the city, not only neglected their duty, but that divers of the common-council greatly encouraged the ſeditious. That they had not kept their word with the army, which, upon their aſſurance to ſecure the parliament from any attempt, had removed to that diſtance from the city. That he could not but look on them as accountable to the kingdom, for the preſent interruptions of the hopeful way of peace and ſettlement of the nation, if by their care and induſtry the chief actors in the late tumults were not detected, and given up to juſtice.

The general's letter to the city. Ruſhworth, VI. p. 647, Whitelock. Clarendon, III. p. 47.

On the other hand, the city publiſhed an apology by way of declaration or manifeſto, ſetting forth, "The army's "ſurpriſing the king at Holmby, without its being known "by what authority, and under what pretences; and their "keeping his royal perſon ever ſince, notwithſtanding his "ſurpriſal was diſowned by the general for himſelf and all "the officers about him, and for the body of the army. "That the privileges of parliament had been violated by "the army's cauſing the eleven members to withdraw, and "by interpoſing in the militia of London, which was ſub-

The city's declaration againſt the army. Ruſhworth, VI. p. 648.

"ject

[1] The lords choſe the lord Grey of Werk; and the commons, Mr. Henry Pelham a counſellor of Lincoln's-Inn. Ruſhworth. Tom. VI. p. 646. There was then above a hundred and forty members remaining in the houſe of commons. Clarendon, Tom. III. p. 47.

"ject to no other cogniſance but of the king and parlia- 1647.
"ment." There were ſeveral other things in this manifeſto, which inſinuated, that the army's ill deſigns were but too evident. They concluded with proteſting, that "they ſin-"cerely deſire a happy and ſpeedy peace by the ſettlement "of true religion, by re-eſtabliſhing his majeſty's juſt "rights, by upholding all lawful privileges of a free par-"liament, by maintaining the fundamental laws of the land, "by reſtoring the ſubject to his juſt liberty, and by freeing "this long oppreſſed kingdom from all taxes, and the en-"forced free-quarters towards the maintenance of an army, "which hath long had no viſible enemy to encounter"

Both houſes alſo writ to the general, that though he had given them no account of the motion of his army, yet they underſtood, he had ordered his forces to march towards London, on pretence of defending the houſes from the danger of tumults, upon which account they thought fit to let him know, that as they could not but have a deep ſenſe of the undue liberty which ſome apprentices and others had taken, to violate the freedom of parliament, ſo they doubted not, but the ſenſe of ſo great an offence would at laſt ſtrike thoſe that were acceſſary thereto with a deteſtation of any ſuch practices for the future: and that as the houſes could not imagine, theſe diſorders had the allowance of the city of London, ſo they had ſince received full ſatisfaction by the ſtrict orders publiſhed by the common-council for preventing and ſuppreſſing of tumults, and by their declaration, that they ſhould ſit with freedom, and ſecurity from any diſturbances for the future. And therefore they ſaw no cauſe to command the army to come to their aſſiſtance, but rather judged (by the diſtractions raiſed at the news thereof) that the army's approach was like to produce great miſchiefs, and caſt the whole kingdom into confuſion. That for prevention of theſe dangers, they had ſent him an expreſs order to withdraw his army, requiring him to give exact obedience thereto.

The parliament orders the general to remove the army farther from London. July 30. Id. p. 654.

The ſame day the commons voted, that the eleven accuſed members ſhould be received into the houſe; accordingly moſt of them came and took their places on the morrow [1]. Vote to receive the eleven members. Id. p. 647, 652.

On the 31ſt, the two houſes publiſhed an ordinance, enabling the committee of the militia of London to puniſh ſuch Preparations in London. Id. p. 652, 655.

[1] It was likewiſe declared, That the ordinance of the 19th of July, which put under the command of Sir Thomas Fairfax all the land-forces, did not give him any power over the trained-bands, garriſons, &c. And this declaration was ordered to be printed and publiſhed in London, by ſound of trumpet. Whitelock, p. 262.

1647. such as did not repair to their colours, and to chuſe a major-general, or any other officer for the forces raiſed or to be raiſed within the city of London; and Maſſey, Waller, and Pointz were employed in forming regiments and companies.

The army marches towards London. Ruſhworth, VII. p. 750. Clarendon, III. p. 48.

Though the parliament and city made great preparations, the army were under no apprehenſions. They knew, that two or three days were not ſufficient to diſcipline an army levied in haſte in the city, and enable it to withſtand twenty thouſand victorious troops, well ſupplied with arms, ammunition, and ordnance. They continued therefore their march to the general rendezvous at Hounſlow-heath, within twelve miles of London. Mean-while, the general delivered to the parliament's commiſſioners, certain propoſals to be negotiated between the parliament and army, for ſettling the peace of the kingdom. At the ſame time, he put into their hands a declaration by the council of war, wherein the officers ſaid, Though the late violence done to the parliament rendered all proceedings in the way of treaty vain and hopeleſs, till the parliament ſhould be reſtored to a condition of freedom, yet they had thought good to make this public tender of propoſals to the conſideration of the kingdom, wherein all men might ſee the integrity of their intentions, and the bottom of their deſires. Theſe propoſals related intirely to the public, without any mixture of the private views of the army.

The general delivers to the parliament's commiſſioners propoſals for peace, with a declaration. Ruſhworth, VII. p. 731, 738.

The two ſpeakers, and the reſt of the abſent members, caſt themſelves upon the army's protection. Ruſhworth, VII. p. 750, 754. Whitelock, p. 262. Clarendon, III. p. 48.

Mean while, the two ſpeakers, and the reſt of the members of both houſes who had abſented themſelves, to the number of ſixty-ſix, came to the general, deſiring his protection, and ſaying, that as there was no free ſitting for them in the parliament, they had quitted the houſes for fear of being torn in pieces by the mob. Nothing could be more agreeable to the army than this requeſt, which authoriſed them, without their being forced to ſeek other pretences, to march to London to re-inſtate the members ſuppoſed to be driven from the parliament by the populace. From that time, they would no more own the two houſes for parliament, but paid to the ſpeakers and members who attended them, the ſame reſpect as they would have done to the parliament itſelf.

Reaſons of the conduct of the ſpeakers and the reſt.

It was very ſtrange, that zealous preſbyterians, ſuch as were moſt of the abſented members, ſhould have recourſe to the army's protection, againſt the endeavours of their brethren in both houſes and the city, to prevent the independents from trampling upon preſbyterianiſm. The moſt probable reaſon of this proceeding, I think, is, that theſe mem-

bers

bers imagined, their brethren and the common-council of London were taking wrong meaſures, and would be infallibly oppreſſed by the army. It was therefore very natural for men in this belief, to endeavour to avoid being involved in the ruin their party was threatned with, and to chuſe rather to continue to diſſemble their ſentiments, as they had done for ſome time, than be expoſed in vain to inevitable, as they thought, calamities. To this may be added, that among theſe members there were ſome independents, who earneſtly laboured to perſuade the reſt to this courſe, as we are informed by Ludlow's memoirs, who was of this number and party. The lord Clarendon gives another reaſon, which ſeems not ſo natural. He pretends, theſe members believed, the army deſigned to reſtore the king to all his rights, and ſeeing there were not forces ſufficient to hinder it, they were willing to avoid the effects of his vengeance, by concurring with the army in his reſtoration. But, beſides that the event ſhowed, the independents had no ſuch intention, it is certain they had not hitherto expreſſed it, unleſs ſome civilities paid the king ſince he was in their hands, are to be conſidered as real proofs of this intention. Moreover, the army had juſt given a ſenſible proof, that their deſign was not to reſtore the king to all his rights, by the propoſals lately delivered to the parliament's commiſſioners, whereby the king's prerogatives were intirely ſubverted, as will hereafter appear. 1647.

T. I. p. 207, &c. T. III. p. 48.

However this be, the army improved the deſertion of theſe members to juſtify their advance towards London, and to ſhow that their aim was only to prevent a new war, which the members at Weſtminſter and the common-council of London, had a mind to excite. To this purpoſe, they publiſhed a manifeſto, containing the reaſons of their marching to London; the ſubſtance whereof was to this effect:

"That the army was formerly led, by the grounds then declared, to advance towards the city of London; but having received from the parliament and city ſome hopes of ſatisfaction, they yielded a ſpeedy compliance to their deſires for their removal to a farther diſtance. And being in this ſecure way, and labouring after the ſudden ſettlement of the kingdom, they had even brought to perfection, particular propoſals to be ſent to the parliament, for a final concluſion of all their troubles; but the kingdom's enemies being moſt vigilant to fruſtrate thoſe good intentions of theirs, had endeavoured to caſt the kingdom into a new and bloody war: and for that end had procured

The army's manifeſto. Auguſt 2. Ruſhworth, VII. p. 744.

1647. "cured the under-hand lifting of ſeveral reformado's, and "others, and contrived a wicked and treaſonable combina- "tion; as it was ſufficiently manifeſted by a declaration "paſſed thereupon by both houſes of parliament the 23d of "July laſt, for the prevention of the diſturbances that "were like to enſue thereupon; from which kind of diſ- "orders the city had been well preſerved, during the ſpace "of almoſt four years, whilſt the militia was in the hands "of the old commiſſioners, whereby it appeared, there "was cauſe for the army to intreat the parliament, that "the militia might be returned into the hands it was in "before.

"That thoſe old commiſſioners of the militia were not "only perſons without all exception, but alſo men of whom "the kingdom had had above four years experience in the "faithful diſcharge of their truſt, and that were always "moſt deſirous of a peace. Yet, on a ſudden, this truſt, "which they had ſo faithfully diſcharged ſo long, was ta- "ken out of their hands, and put into the hands of others, "ſome whereof had been very cool in the ſervice of the "parliament; and this was preſſed, and in a manner forced "upon the parliament, with the utmoſt importunity. Theſe "things miniſtred great cauſe of ſuſpicion, that that altera- "tion of the militia was in order to make the terms of the "peace, and agreement with the king, more ſuitable to the "private undertakings of ſome men, than to the public "welfare of the whole kingdom. But this deſign diſcovered "itſelf more clearly, in that at the ſame time that the alte- "ration of the militia of London was ſet on foot, the ſame "perſons with as much earneſtneſs preſſed for the diſband- "ing of the army, before any thing was ſettled for the "ſecurity and liberty of the kingdom. At the ſame time, "the common-council was new modellized, a lord-mayor "choſen that might ſuit with the preſent deſign, and divers "perſons were left out of the common-council and militia "of eminent deſerts and fidelity, and others brought into "their rooms, that had either teſtified an ill affection, or "little affection to the parliament and their cauſe. That "the honour of the parliament was continually trampled "under foot, and their authority affronted by every rabble "of women, apprentices, reformado's, and ſoldiers, till at "length it was riſen to the height of monſtrous violence "againſt the parliament, that they might ſet themſelves to "work, and the kingdom on fire again. That at length "the deſign appeared open-faced, and though the mi- "nders

" was made the principal ground of the quarrel, yet the 1647.
" preſſing ſo much the king's coming to London to confirm
" the ſame, ſhewed that the militia was deſired but in order
" to that deſign, and to force the parliament to ſuch terms
" of peace as they pleaſed.

" That the intereſt of the common-council, in their
" change of the militia, was claimed as the birth-right of
" the city of London; but ſuch a claim could not juſtly
" be held up againſt both houſes of parliament: for then
" who ſhould be maſter of the parliament's freedom and
" reſolutions? and who ſhould be maſters of the birth-rights
" of the whole kingdom, when there ſhould be no army on
" foot?

" That the army diſcerning how intimate ſome of the
" new militia were with ſome of the eleven accuſed mem-
" bers, and how forward they were to comply and act with
" them in their endeavours to raiſe a new war, found it
" neceſſary to deſire, That the militia might be put into
" the hands wherein it was formerly, that the army being
" ſecured by that means from danger, might with the more
" confidence retire further from the city. Which, accord-
" ing to their deſire, being reſtored again into the hands of
" the old commiſſioners, ſeveral petitions were preſented to
" the common-council of the city of London, in the name
" of the apprentices and others, importing their deſires, that
" the militia of the city might continue in the hands of the
" former commiſſioners, according to the ordinance of the
" 4th of May laſt; whereupon the common-council of the
" city preſents their petitions to both houſes for changing
" the militia, wherein the houſe of lords refuſe to alter
" their reſolutions; the houſe of commons anſwered, they
" would take it into conſideration the next morning; not-
" withſtanding which, the city and kingdom could not be
" ignorant, with what rage and inſolency the tumult of ap-
" prentices the ſame day forced both houſes; they blocked
" up their doors, threatning them, if they granted not their
" deſires; and in this outrageous manner continued at the
" houſe eight hours together; after which, the houſe riſing,
" the ſpeaker, and many members going out, they forced
" them back again into the houſe. And during the time
" of that violence, Weſtminſter-hall and the Palace-yard,
" was filled with reformado's, and other ill-affected perſons
" deſigned to back them. After that, the houſes being ad-
" journed, the apprentices printed and poſted a paper in
" ſeveral places of the city, requiring all their fellows to

1647. "be early at the parliament the next morning, for that they "intended to adjourn by ſeven of the clock, and that for a "month. Thus the ſpeakers, with many of the members, "were driven away from the parliament. All men there-"fore might judge of the juſtneſs of the cauſe the army had "engaged themſelves in. And if after ſo much blood and "treaſure ſpent, all that they were to hope for, and reſt "in, was only what the king had granted in his meſſage of "the 12th of May laſt, what muſt become of the king-"dom? &c. [1].

"Laſtly, the army declared, that they would ſtand by "all ſuch members of either houſe of parliament, as were "forced to abſent themſelves from Weſtminſter, and uſe "their utmoſt and ſpeedy endeavours, that they might with "freedom and ſecurity ſit there again. They likewiſe de-"clared againſt the choice of a new ſpeaker, and againſt "all orders, votes, or reſolutions forced from the houſe on "the 26th of July laſt, and ſuch as ſhould be paſſed till "thoſe members were reſtored again: that they thought "themſelves bound to bring to condign puniſhment the "authors and fomenters of the violence done to the parlia-"ment, and expected that the people of London would "deliver up to them the eleven members impeached. But "if any in the city ſhould engage themſelves to protect "thoſe members, and ſo put the kingdom again into a war, "the blood muſt be laid to the account of ſuch perſons.

"And whereas ſome had poſſeſſed the minds of men, "that they gaped only after the plunder of the great and "wealthy city of London; they declared from their hearts, "that they abhorred the thought thereof: but as they were "informed, that the city of Weſtminſter, and the borough "of Southwark, were brought into a hard condition, by "claiming a right not to be ſubjected to a militia, without "their own conſent, they promiſed to aſſiſt them for the "obtaining of their juſt deſires and immunities.

"That when theſe things were duly ſettled, they ſhould "be as ready to aſſure unto the king his juſt rights and au-"thority, as any that pretended it never ſo much."

The common council alter their reſolution,

The next day, the army being drawn together on Houn-ſlow-heath [2], the common-council of London began to fear the

[1] This intirely deſtroys the reaſon of the members abſenting themſelves, alledged by the lord Clarendon. Rapin.

[2] At this rendezvous were preſent the earls of Northumberland, Saliſbury, Kent; the lords Grey of Werk, Howard, Wharton, Say, and Mulgrave, and others, about fourteen lords; the ſpeaker, and about a hundred members of the houſe of commons. The army, conſiſting of twenty thouſand

the danger to which the city would be expoſed, if the army 1647.
ſhould force the lines, which was but too likely, and this apprehenſion cauſed them to take more moderate reſolutions [1].

So taking occaſion from the army's late declaration, they writ to the general, that, underſtanding by the declaration, that the army's intention was only to reſtore the abſent members to their places in the parliament, the city was ready to concur with them in their deſign. That accordingly, he ſhould find all ports and paſſes open, and for removing all miſunderſtanding, they had recalled their late declaration. The general anſwered, That he wiſhed all the forts on the weſt-ſide of the city were delivered to him, and he was immediately obeyed. After that, he writ to the common-council, that the preſerving of the privileges of the parliament, and ſecuring the members from violence, had been the ſole cauſe of his near approach to their city.

and try to appeaſe the army. Auguſt 3. Ruſhworth, VII. p. 743, 751.

The forts about London are delivered up to the general, p. 752. Whitelock.

The 6th of Auguſt, the general, preceded by ſome regiments of horſe, and attended by the two old ſpeakers, and the members who had abſented themſelves, came to Weſtminſter, and alighted at Sir Abraham William's houſe in New-palace-yard. He ſtaid there ſome time, whilſt the two ſpeakers [2], and the reſt of the members repaired to their reſpective houſes.

He comes to London, and reſtores the ſpeakers and the reſt of the members. Ruſhworth, VII. p. 756.

Preſently after, the houſe of peers paſſed an ordinance for making general Fairfax conſtable of the Tower, with power to name a deputy, to which the commons conſented. After that, the general was deſired to come to the parliament, where he received the thanks of both houſes. The ſame day, the parliament ordered, that the 12th ſhould be a day of thankſgiving to God, for reſtoring the members of both houſes to their juſt privileges, *without the effuſion of blood*, and that a gratuity of a month's pay ſhould be given to the non-commiſſioned officers and ſoldiers for this great ſervice.

Clarendon, III. p. 51. He is made governor of the Tower, and thanked. Ruſhworth, VII. p. 757, 758, 759. Whitelock.

The following days were ſpent in approving and ratifying what

The parliament approves of what the army had done.

thouſand Horſe and foot, being drawn up in battalia, with reſerves, the general, accompanied with theſe lords and commoners, and other gentlemen, rode along, and took a view of the army, from regiment to regiment, who received them with great acclamations of the ſoldiers, crying, Lords and commons, and a free parliament. The prince elector Palatine came alſo and viewed the army, being received by the general with great reſpect. Whitelock, p. 263. Ruſhworth, Tom. VII. P. 750.

[1] When a ſcout came in, whilſt the city militia and common-council were ſitting, and brought news, That the army made a halt, or other good intelligence, they cried, One and all. But if the ſcouts brought intelligence that the army advanced nearer to them, then they would cry as loud, Treat, treat, treat. At laſt they agreed to ſend the general an humble letter. Whitelock, p. 263.

[2] The earl of Mancheſter for the lords, and Lenthal for the commons.

1647. what the army had done. But this was not all. The lords demanded two things, which the commons very much oppoſed. The firſt was, the making null all acts, done from the 26th of July, to the 6th of Auguſt. The commons were ready to give their conſent, provided it was without declaring them illegal. This diſpute held till the 20th, when the commons paſſed at length the ordinance demanded by the peers, but with this reſtriction: '*That no perſon ſhall be impeached or puniſhed, for his acting by, or upon, the ſaid votes, orders, or ordinances, unleſs he ſhall be found guilty of contriving or abetting the viſible force put upon the parliament, or of entring into, or promoting the late engagement, for the bringing the king to the city, upon the terms and conditions expreſſed in his majeſty's letters of the 12th of May laſt.*

Diſpute between the lords and commons. Ruſhworth, VII. p. 759, &c. 784.

Id. p. 778, 782.

The ſecond thing deſired by the lords, was, that it ſhould be declared, the parliament was not free from the 26th of July, to the 6th of Auguſt, and that the members who aſſembled at Weſtminſter, in the abſence of the ſpeakers, ſhould be expelled the parliament and puniſhed. This queſtion being debated a whole day in the houſe of commons, was carried in the negative, but by three voices [1]. The lords inſiſted upon this point merely out of compliance to the army, who, by a remonſtrance to the parliament, had demanded the ſame thing, declaring, they could not ſuffer ſuch members as ſate and voted during the abſence of the ſpeakers, to intrude themſelves into the parliament before they had given ſatisfaction to their reſpective houſes. Nevertheleſs, this affair was carried no farther. Only ſeven lords [2], with the lord-mayor, ſeveral aldermen, and ſome officers of the militia were accuſed of high-treaſon for being concerned in the tumult of the 26th of July, which was called an intention to excite a new war.

Ruſhworth, VII. p. 778, 782. Whitelock.

Sept. 8. Ruſhworth, VII. p. 804, 806. Whitelock.

The king's ſtate and condition.

Whilſt theſe things paſſed between the parliament and army, the king was not only very quiet, but even entertained great hopes from this diviſion, and flattered himſelf, that the army would declare for him. Their civility and complaiſance to him ſeemed to promiſe him a happier ſtate, than when in the hands of the parliament. Three of his chaplains [3] were allowed to come to him, and celebrate divine

He is flattered by the army. Clarendon, III. p. 38, 51, &c. Ludlow, T. I. p. 194, 195.

[1] The queſtion put was, Whether it ſhould be declared, what was done from the 26th of July to the 6th of Auguſt to be forced, and that ſitting no free parliament? Which was carried in the negative. The other part of the queſtion, as put by Rapin, was not debated at this time.

[2] The earl of Suffolk, the lords Willoughby of Parham, Hunſdon, Maynard, Berkley, with the earls of Lincoln and Middleſex. Whitelock, p. 268.

[3] There were four allowed to come to him; namely, Dr. Sheldon, Morley, Sanderſon, and Hammond. See Clarendon, Tom. 3. p. 38.

vine ſervice, after the manner of the church of England, and all his old ſervants and domeſticks had liberty to ſee and ſpeak with him. Berkley, Aſhburnham, Capel, the marquis of Ormond himſelf, who had at laſt ſurrendered Dublin to the parliament, ſaw him as often as they pleaſed in publick or private, and the two firſt were now in his ſervice. The Scotch commiſſioners reſiding at London, frequently viſited him, and expreſſed a great deſire to ſerve him. As they knew, that the independents were ſworn enemies of their nation, they began to perceive, it was their intereſt to join with the king againſt their common enemies. Mean while, the civilities ſhown the king were but the effect of the policy of Cromwell and his aſſociates [r]. They were not ignorant how the parliament and city of London ſtood affected to them, and were perſuaded, that after all, the preſbyterians would chuſe rather to agree with the king, than ſee the independents triumph. To prevent this union it was, that they had cauſed the king to be removed from Holmby, without either the general-officers, or the body of the army appearing in it, to a place where his perſon was in their power. On the other hand, the king was extremely careſſed by them, and even put in hopes of a ſpeedy agreement with the army, as well to divert him from the thoughts of uniting with the parliament, as to deprive the preſbyterians of the hope of ſuch an union. In every declaration and remonſtrance of the army, there was always ſomething inſerted to expreſs their deſire, that the king might be reſtored to his juſt rights. But it was ever with this reſtriction, '*when the affairs of the government ſhould be fully ſettled*,' that is, in the manner they deſired, and they knew, it would then be eaſy to find occaſion to quarrel with the king, and retract what they ſeemed to promiſe him. 1647.

The king was deceived by this policy. As he ſaw himſelf courted by both parties, he imagined, they could not be without him, and that he ſhould quickly be able to incline the ſcale to which ſide he pleaſed. Nay, he fanſied for ſome time, that the two parties would accept him for mediator. In this imagination he expreſſed a regard for both, and told them by turns, though very ſecretly, he would be guided by their counſels. Mean while, as he mortally hated the preſbyterians, he was much more deſirous to join with the army, if they would but have granted him tolerable conditions,

He conceives great hopes, but is overreached by Cromwell, Id. p. 198, —205. Clarendon, III. p. 40. &c.

[r] The ground of their civilities was, to engage him and the cavaliers to their ſide, after they had made the parliament, the Scots, and the city of London, their enemies. Ludlow, Tom. I. p. 194.

1647. ditions, as they made him expect. Nevertheleſs, he liſtned to the propoſals of the Scotch commiſſioners, to put himſelf under the protection of the preſbyterians and Scots, and thereby hoped to be ſafe, however the conteſts between the parliament and army might end. In the mean time, he ſuffered himſelf to be amuſed by Cromwell and Ireton, who, on pretence they were ſuſpected by both houſes, ſeldom viſited him, but however, acquainted him with their intentions, by means of ſome officers, who could converſe more freely with him or his confidents. Though he was uſed very civilly, he was narrowly watched, and at the very time he thought himſelf arbiter of the two parties, was really a priſoner. Since his removal from Holmby, he had followed the motions of the army, and reſided ſometimes in a town, and ſometimes at a country-houſe, according as the army thought fit. At laſt, when the army had their rendezvous on Hounſlow-Heath, in order to march to London, he was conducted to Hampton-court [1].

Rushworth, VII. p. 767, &c. Ludlow, T. II. p. 212.

After the army was uppermoſt, the king had not the ſame reſpect paid him.

The revolution, which happened within a few days, and which brought the parliament in ſubjection to the army, proved fatal to the king. He had quickly cauſe to perceive, Cromwell and Ireton had only amuſed him with vain hopes. The army was no ſooner maſter of the parliament and city, but the king ſaw himſelf not only neglected, but even treated more hardly than ever. The ſame reſpect was no longer paid him, and his guards would ſcarce ſuffer his ſervants to confer with him in private. In ſhort, he was left a long while at Hampton-court, without mention of any accommodation, whilſt his words, his actions, and the perſons that came to viſit him, were carefully watched. Nay, the Scotch commiſſioners were hindered from ſeeing him, of which

Clarendon, T. I. p. 55, 57.

Rushworth, VII. p. 737.

[1] June 24, he was removed from Newmarket to Royſton; the 26, he came to Hatfield-houſe in Hertfordſhire; July 1, to Windſor; July 31 to Caverſham, a houſe of the lord Craven's, near Reading; July 22, to the earl of Devonſhire's houſe at Latimers; thence to Woburn, the earl of Bedford's; and then to Stoke-pogey's and Oatland's. Rushworth, Tom. VI. p. 592, 593, 603, 604, 639. Whilſt he was at Caverſham, July 15, his children, now under the earl of Northumberland's care, were permitted to dine with him at Maidenhead, and afterwards to go and ſtay with him two days at Caverſham. Prince James had been in the parliament's hands ever ſince the ſurrender of Oxford. This favour was denied him whilſt he was at Holmby. Rushworth, Tom. VI. p. 593, 612, 613, 625. Clarendon, Tom. III. p. 38, 43, 44. Concerning this interview, Ludlow relates the following remarkable ſtory. Cromwell meeting ſoon after Sir John Berkley, told him, that he had lately ſeen the tendereſt ſight that ever his eyes beheld, which was the interview between the king and his children; that he (Cromwell) wept plentifully at the remembrance thereof, ſaying, that never man was ſo abuſed as he, in his miſtaken opinion of the king, who, he thought, was the moſt upright and conſcientious of his kingdom. Ludlow, Tom. I. p. 199.

which they complained to no purpoſe. But before I proceed to ſpeak of the king and his circumſtances, it will be neceſſary to relate what paſſed in the army and parliament, whilſt the king was left at Hampton-court almoſt forgotten, though he ſerved ſometimes for pretence to ſeveral papers. 1647.

When the army reſolved to oppoſe the parliament's deſign to diſband them, they pretended, they would meddle only in their own affairs, without concerning themſelves with the government of church or ſtate. The demand of arrears was at firſt the only point whereon they founded their refuſal of being caſhiered. After that, finding it was not impoſſible to give them ſatisfaction upon that article, they demanded reparation for their honour, and a full vindication from the pretended crimes, on which the parliament had grounded their declaration againſt the authors of the firſt petition. Then they required, that the parliament ſhould ſolemnly declare, it was the privilege of the ſubject, and of the army in particular, to preſent petitions. After which, they formed the councils of war, and agitators, who not content with deſiring things relating to the army, inſerted in their remonſtrances, ſundry articles concerning the government. Laſtly, the king was removed from Holmby by the authority, as it was pretended, of the army, though the general affirmed, that neither himſelf, nor the other general-officers, nor the body of the army, were privy to it; and by this ſame authority, how chimerical ſoever it appeared, was the king kept in the quarters of the army.

As ſoon as the army had the king in their power, they pretended to a right of ſettling the government of the kingdom with the parliament. They nominated commiſſioners to treat upon that ſubject, with thoſe of the parliament. In ſhort, juſt as they were preparing to march to London, the general delivered to the parliament's commiſſioners, propoſitions from the army, to ſettle the government, of which, not ſo much as one related to the particular concerns of the army. The propoſitions were theſe:

Articles propoſed by the army, to be treated on by the parliament's commiſſioners.

"I. THAT (things hereafter propoſed being provided for by this parliament) a certain period may, by act of parliament, be ſet for the ending of this parliament, ſuch period to be put within a year at moſt, and in the ſame act proviſion to be made for the ſucceſſion and conſtitution of parliaments in future, as followeth: Aug. 1. Rushworth, VII. p. 731.

"I.

1647. "1. That parliaments may biennially be called and "meet at a certain day.

"2. Each biennial parliament to ſit a hundred and twenty "days certain, and no parliament to ſit paſt two hundred "and forty days from their firſt meeting, or ſome other li- "mited number of days; upon the expiration whereof "each parliament to diſſolve of courſe, if not otherwiſe "diſſolved ſooner.

"3. The king, in the intervals betwixt biennial parlia- "ments, to call a parliament extraordinary, provided it "meet above ſeventy days before the next biennial day, "and be diſſolved at leaſt ſixty days before the ſame.

"4. That this and each ſucceeding biennial parliament, "at or before adjournment or diſſolution thereof, may ap- "point committees during the interval for ſuch purpoſes "as are in any of theſe propoſals referred to ſuch com- "mittees.

"5. That all counties may have a number of parlia- "ment members allowed to their choice, proportionable to "the reſpective rates they bear in the common charges "and burdens of the kingdom; and that the election of "burgeſſes for poor decayed or inconſiderable towns be "taken off.

"6. That effectual proviſion be made for future free- "dom of elections, and certainty of due returns.

"7. That the houſe of commons alone have the power, "from time to time, to ſet down further orders and rules "for the ends expreſſed in the two laſt preceding articles.

"8. That there be a liberty for entering diſſents in the "houſe of commons, with proviſion that no member be "cenſurable for ought ſaid or voted in the houſe, further "than to excluſion from that truſt, and that only by the "judgment of the houſe itſelf.

"9. That the judicial power, or power of final judg- "ment in the lords and commons, may be cleared: and "that no officer of juſtice, miniſter of ſtate, or other per- "ſon adjudged by them, may be capable of protection or "pardon from the king without their advice or conſent.

"10. That the right and liberty of the commons of Eng- "land may be cleared and vindicated as to a due exemp- "tion from any judgment, tryal, or other proceeding "againſt them by the houſe of peers, without the concur- "ring judgment of the houſe of commons: as alſo from "any other judgment, ſentence or proceeding againſt them,

"other

" other than by their equals, or according to the law of 1647.
" the land.

" 11. The ſame act to provide, That the choice of " grand-jury-men may not be as now, at the diſcretion of " an under-ſheriff; and that ſuch grand-jury-men for their " reſpective counties, may at each aſſize preſent the names " of perſons to be made juſtices of peace from time to time, " as the country hath need for any to be added to the com- " miſſion; and at the ſummer-aſſize to preſent the names " of three perſons, out of which the king may prick one " to be ſheriff for the next year.

" II. For the militia in general, That it be provided by " act of parliament.

" 1. That the power of the militia by ſea and land, " during the ſpace of ten years next enſuing, ſhall be or- " dered and diſpoſed by ſuch perſons as the lords and com- " mons ſhall nominate and appoint.

" 2. That the ſaid power ſhall not be ordered or exer- " ciſed by the king's majeſty, or by any perſons by autho- " rity derived from him, during the ſaid ſpace, or at any " time hereafter, without the advice and conſent of the ſaid " lords and commons.

" 3. That during the ſame ſpace of ten years, the ſaid " lords and commons may, by bill or ordinance, raiſe and " diſpoſe of what monies, and for what forces they ſhall " from time to time find neceſſary; as alſo for payment of " the publick debts and damages, and for all other the pub- " lick uſes of the kingdom.

" 4. That no ſubjects that have been in hoſtility againſt " the parliament in the late war, ſhall be capable of bear- " ing any office of power or publick truſt in the common- " wealth, during the ſpace of five years, without the con- " ſent of parliament; or to ſit as member of either houſe, " until the ſecond biennial parliament be paſt.

" III. For the preſent form of diſpoſing the militia, in " order to the peace and ſafety of this kingdom, and the " ſervice of Ireland,

" 1. That there be commiſſioners for the admiralty, " with the vice-admiral and rear-admiral, with power for " the forming, regulating, appointing of officers, and pro- " viding for the navy.

" 2. That there be a general for command of the land " forces.

" 3.

1647. " 3. That there be commiſſioners in the ſeveral counties " for the ſtanding militia, with power for the proportion- " ing, regulating, training, and diſciplining of them.

" 4. That there be a council of ſtate, with power to ſu- " perintend and direct the ſeveral and particular powers of " the militia laſt mentioned.

" 5. That the ſame council may have power as the " king's privy-council, for and in all foreign negotiations; " provided that the making of war or peace with any other " kingdom or ſtate, ſhall not be without the advice and " conſent of parliament.

" 6. That the ſaid power of the council of ſtate be put " into the hands of truſty and able perſons now to be agreed " on, and the ſame perſons to continue in that power (*ſi* " *bene ſe geſſerint*) for a certain term not exceeding ſeven " years.

" 7. That there be a ſufficient eſtabliſhment now pro- " vided for the ſalary of the forces both in England and " Ireland, the eſtabliſhment to continue until two months " after the meeting of the firſt biennial parliament.

" IV. That an act be paſſed for diſpoſing the great offi- " ces for ten years by the lords and commons in parliament; " or by ſuch committees as they ſhall appoint for that pur- " poſe in the intervals (with ſubmiſſion to the approbation " of the next parliament) and after ten years they to nomi- " nate three, and the king out of that number to appoint " one for the ſucceſſion upon any vacancy.

" V. That an act be paſſed, for reſtraining of any peers, " made ſince the 21ſt day of May 1642, or to be hereafter " made, from having any power to ſit or vote in parliament " without conſent of both houſes.

" VI. That an act be paſſed for recalling and making " void all declarations and other proceedings againſt the " parliament, or againſt any that have acted by, for, or under " their authority in the late war, or in relation to it; and " that the ordinance for indemnity may be confirmed.

" VII. That an act be paſſed for making void all grants, " &c. under the great-ſeal, ſince the time that it was con- " veyed away from the parliament, (except as in the par- " liament's propoſitions) and for making thoſe valid that " have been or ſhall be paſſed under the great-ſeal, made " by the authority of both houſes of parliament.

" VIII. That an act be paſſed for confirmation of the " treaties between the two kingdoms of England and Scot-

" land; and for appointing conſervators of the peace be- 1647.
" twixt them.

" IX. That the ordinance for taking away the court of
" wards and liveries be confirmed by act of parliament;
" provided, his majeſty's revenue be not damnified therein,
" nor thoſe that laſt held offices in the ſame, left without
" reparation ſome other way.

" X. An act to declare void the ceſſation of Ireland, &c.
" and to leave the proſecution of that war to the lords and
" commons in the parliament of England.

" XI. An act to be paſſed to take away all coercive
" power, authority and juriſdiction of biſhops——extend-
" ing to any civil penalties upon any, &c.

" XII. That there be a repeal of all acts or clauſes in
" any act enjoining the uſe of the book of Common Prayer,
" and impoſing any penalty for neglect thereof, and for not
" coming to church, or for meeting elſewhere; and ſome
" other proviſion to be made for diſcovering of papiſts,
" prieſts, jeſuits, &c.

" XIII. That the taking of the covenant be not en-
" forced upon any; but all orders or ordinances tending to
" that purpoſe to be repealed.

" XIV. That (the thing here before propoſed, being
" provided, for ſecuring the rights, liberties, &c. of the
" kingdom) his majeſty's perſon, his queen and royal iſſue
" may be reſtored to a condition of ſafety, honour, and
" freedom in this nation, without diminution to their perſo-
" nal rights, or further limitation to the exerciſe of regal
" power than according to the particulars foregoing.

" XV. For the matter of compoſition, &c.

N. B. There are under this head ſix articles, which cannot be well underſtood, without knowing the particulars of an act wherein delinquents were placed under ſeveral heads or qualifications, and their compoſition ſettled accordingly. But the knowledge of that can be of no uſe at preſent.

" XVI. That there may be a general act of oblivion,
" &c.

" That ſuch of the king's party who ſhall appear to have
" expreſſed, or ſhall hereafter expreſs their good affections
" to the peace and welfare of the kingdom, and to hinder
" the embroiling of the ſame in a new war, may be freed
" and exempted from compoſitions, or to pay but one year's
" revenue, or a twentieth part.

" Next

1647. "Next to the propoſals aforeſaid for the preſent ſettling "of a peace, the army deſires, that no time may be loſt "by the parliament for diſpatch of other things tending to "the welfare, eaſe, and juſt ſatisfaction of the kingdom, "and in ſpecial manner:

"I. That the liberty of the people to repreſent their "grievances and deſires by way of petition may be cleared "and vindicated.

"II. That the common grievances of the people may "be ſpeedily conſidered of, and effectually redreſſed; and "in particular,

"1. That the exciſe may be taken off from ſuch com-"modities, whereon the poor people of the land do ordi-"narily live.

"2. That the oppreſſions and encroachments of foreſt "laws may be prevented for the future.

"3. All monopolies and reſtraints to the freedom of "trade to be taken off.

"4. That a courſe may be taken to rectify the inequa-"lity of rates lying upon ſeveral counties.

"5. The preſent, unequal, troubleſome, and conten-"tious way of miniſters maintenance by tithes to be con-"ſidered of, and ſome remedy applied.

"6. That the rules and courſe of law, and the officers "of it may be ſo reduced and reformed, as that all ſuits "and queſtions of right may be more clear and certain in "the iſſues, and not ſo tedious nor chargeable in the pro-"ceedings as now.

"7. That priſoners for debt may not, by embracing "impriſonment, or any other ways, have advantage to de-"fraud their creditors: and that ſuch priſoners for debt, "who have not wherewith to pay, may be freed from im-"priſonment.

"8. That none may be compelled to anſwer unto queſ-"tions tending to the accuſing of themſelves, or their "neareſt relations in criminal cauſes; and no man's life to "be taken away under two witneſſes.

"9. That conſideration may be had of all ſtatutes, and "the laws or cuſtoms of corporations, impoſing any oaths "ſo far as they may extend to the moleſtation or enſnaring "of religious and peaceable people, merely for non-confor-"mity in religion.

"III. That the large power given to committees or de-"puty-lieutenants, during the late times of war and diſtrac-"tion, may ſpeedily be recalled and made void, and ſuch

" powers of that nature as ſhall appear neceſſary to be con- 647.
" tinued, may be put into a regulated way, and left to as
" little arbitrarineſs as the nature and neceſſity of things
" will bear.

" IV. That the kingdom may be righted, and ſatisfied
" in point of accounts for the vaſt ſums that have been
" levied.

" V. That proviſion may be made for payment of ar-
" rears to the army, and the reſt of the ſoldiers of the king-
" dom: and in the next place for payment of the publick
" debts and damages of the kingdom; and that to be per-
" formed, firſt, to ſuch perſons whoſe debts or damages
" are great and their eſtates ſmall, ſo as they are thereby
" reduced to a difficulty of ſubſiſtence: in order to all which
" *(continue they)* we ſhall ſpeedily offer ſome further parti-
" culars, which we hope will be of good uſe towards pub-
" lick ſatisfaction."

Theſe propoſals ſhow, the army did not mean to leave to the parliament the ſole power of ſettling the government, though when they were delivered to the commiſſioners, they had not yet ſubjected the parliament and city, as they did ſome days after. How much more therefore ſhould they think themſelves intitled to have a ſhare in this ſettlement, after they had both houſes at command? Certainly, if the army had really deſired, that the government ſhould be ſettled, according to their propoſals, there could not be a fairer opportunity, and the parliament would neither have been able nor have dared to oppoſe it. But, on the contrary, it is very likely, the army's deſign, in delivering theſe propoſals, was only to retard the ſettlement by raiſing difficulties, which would require time to be removed. For inſtance, the XIth article, which ſuppoſed the reſtoring of the biſhops, and the XIIIth, which left every one free to take or not to take the covenant, were directly contrary to the pretenſions of the preſbyterians. It was not for the intereſt of the independents that the government ſhould be ſettled in the manner they propoſed: but it was for their advantage to dazzle the people, and make them believe, the army deſired only the peace and ſafety of the publick, though in effect nothing was farther from the thoughts of the leaders and managers. This evidently appears, in that afterwards they never troubled themſelves to preſs the two houſes to proceed to this ſettlement. On the other hand, the parliament was yet the ſame it had been for ſome time, that is, almoſt wholly preſbyterian, and conſequently enemy of the

Remark on theſe propoſals.

independents,

1647. independents, though obliged to ſhow the contrary. The earl of Mancheſter, ſpeaker of the houſe of lords, was Cromwell's ſworn enemy, though he had been the firſt to apply to the army for protection. The city of London was in the ſame diſpoſition as the parliament; and, far from ſoliciting the ſettlement propoſed by the army, they were very glad it ſhould never be mentioned, in expectation that time would afford ſome opportunity to ſettle the government without the intervention of the ſoldiery. It is therefore no wonder, this affair ſhould be neglected, when neither army, nor parliament, nor city, wiſhed to ſee it accompliſhed. Some ſteps however were now and then taken to make the publick believe it was intended. But Cromwell and the other heads of the independents were very far from being willing to leave it to the parliament for ten years, to manage the affairs of the kingdom as they pleaſed, to order the militia by ſea and land, and raiſe what money they ſhould think neceſſary. Much leſs would they have cared to let the people chuſe every two years new repreſentatives. All theſe things were only to throw duſt in the people's eyes. The independents had a mind to be ſuperior, as they were at length, and all their proceedings, though covered with the pretence of the publick good, tended ſolely to that end. The deſign of the preſbyterians, parliament, and city of London, was to ruin the independent-party, and the army their ſupporters. But as they were not ſufficiently ſtrong to effect it, their project was to join with the king and Scotland, provided they could prevail with his majeſty to aboliſh epiſcopacy. This is what was ſecretly contriving at London and Edinburgh, whilſt endeavours were uſed to amuſe the army by affected delays on their demand of pay and arrears, and whilſt the city of London declined to make the neceſſary advances, in order to render the army odious, by obliging them to oppreſs the people for want of pay. The army was yet ignorant of the ſecret practices againſt them in London. They inceſſantly demanded their pay, and the parliament favourably received their demands. Nay, they paſſed votes to grant them their deſires; but ſome difficulty always occurred to retard the performance, or if they were paid any money it was but a ſmall part of their arrears.

Regulations touching the army.

Three other affairs alſo employed the parliament and army for ſome time, and ſerved for pretence to amuſe. The firſt was, to ſettle what forces ſhould be ſent to Ireland; the ſecond, how many troops were to be maintained in England; the third, to diſband the ſupernumeraries.

Upon

Upon the first article, it was resolved to send into Ireland six thousand foot, four thousand horse, and five hundred dragoons; and that the parliament's commissioners should confer with the general concerning the sending these forces, and the officers that were to command them. 1647. Rushworth, VII. p. 791, 795, 796.

Upon the second, it was ordered, there should be maintained in England, seven thousand two hundred horse, eighteen thousand foot, and one thousand dragoons. It was pretended, these forces were continued in England to relieve those in Ireland in case of need. But it is likely, the army would not bear to be considerably lessened. Id. p. 814.

Upon the third, it was resolved, that all the supernumeraries should be paid and dismissed.

But these things were executed very slowly by reason of several unexpected affairs, of which it will be necessary to speak.

Since the army had thought themselves out of danger from the parliament and city, their respect to the king was so diminished, that it was easy for him to perceive, he had nothing to expect from them, and that Cromwell had only amused him, the better to accomplish his own designs. Besides the visible alteration in the behaviour of those who had the custody of him, he had many other proofs of ill designs against him. In the first place, the army had sent him privately some propositions for peace, much worse than those presented to him at Newcastle; but he had rejected them with indignation [1], which the army very much resented. Secondly, Cromwell had very sharply reproached Ashburnham, who was then the king's confident, that notwithstanding the army's regard for his majesty, he had secretly treated with the commissioners of Scotland to excite that kingdom against the army. This reproach inspired the king with the more dread, as it was true that he had privately treated with the Scotch commissioners, though he had concluded nothing with them, and could not conceive how Cromwell came to know it. He was therefore apprehensive, the army would assassinate, or poison him, to free themselves from the fear of his agreeing with the presbyterians. On the other hand, major Huntington, who had been employed by Cromwell, to amuse the king with several private messages, finding at length he had been the instrument to deceive that unfortunate prince, warned him, that Cromwell was not sincere, and

The king resolves to make his escape from Hampton-court. His reasons for it. Ludlow, T. I. p. 202. Clarendon, III. p. 58, 59. Id. p. 57. Dugdale's View, p. 263.

[1] When the propofals were sent to him, he entertained them with very sharp and bitter language. See Ludlow, Tom. I. p. 204.

1647. and would deſtroy him if he was not prevented. Shortly after he threw up his commiſſion, and would ſerve no longer in the army. Nay, he went farther; for after quitting the ſervice, he offered to diſcover to the parliament, Cromwell's ill practices, but they would not hearken to him [1]. At laſt, the king received private notice every day, by indirect and extraordinary ways, that his enemies had ill deſigns, and he ought to take care of himſelf [2].

Clarendon, III. p. 58, 59. Herbert's Mem. He puts his reſolution in practice. Nov. 11. Ruſhworth, VII. p. 871. Ludlow, T. I. p. 214, &c. Heath.

All theſe things made ſuch an impreſſion upon him, that he reſolved, if poſſible, to eſcape out of the hands of the army. But it was not eaſy to determine where to retire. There was no ſafety for him in any part of the kingdom. The parliament and city of London were at the army's command, and though the preſbyterians had been able to protect him, all he could expect from them was, that they would not attempt upon his life. So, probably, his intention was to tranſport himſelf beyond the ſeas [3]. Aſhburnham was his only confident, for though he believed Berkley faithful, he had not ſo good an opinion of his diſcretion, as to truſt him with ſuch a ſecret. This reſolution being taken, the king withdrew very early to his chamber, feigning to be indiſpoſed, and about one in the morning, went out by the back-ſtairs, and came with Aſburnham and Legg to the garden-gate, where Berkley waited with horſes [4]. They rid all night with great ſpeed, as well to eſcape all purſuers, as to get out of the quarters of the army, and in the morning, found themſelves in the New Foreſt in Hampſhire. Then the king aſked Aſhburnham, where the ſhip lay? Aſhburnham riding before, as it were to get information, returned in ſome little time without any news of the ſhip; at which the king ſeemed very uneaſy. Mean while, as it was

[1] He delivered in a paper to the houſe of lords, which was read there, containing reaſons why he left the army, being a large narrative of the pretended carriages of Cromwell and Ireton, ſince the parliament's going to diſband the army, in relation to overtures to his majeſty, the proceedings againſt the lords, commons, and aldermen that were impeached, &c. Ruſhworth, Tom. VII. p. 1214.

[2] The agitators ſuſpected, that Cromwell, Ireton, &c. had carried on a private treaty with the king, and accordingly endeavoured to wreſt him out of their hands. Of this Cromwell gave the king notice, who thereupon reſolved to make his eſcape from Hampton-court. Ludlow, Tom. I. p. 214. Life of Cromwell, p. 60, &c. The lord Holles ſays, Cromwell was afraid the king ſhould come to an agreement with the levellers, and ſo adviſed him to fly, upon pretence that his life was in danger. Mem. p. 185, &c.

[3] To Jerſey, ſays Manley, p. 158. Ludlow, Tom. I. p. 215.

[4] There was a paſſage from the king's room into the garden, at a back-door of which were diſcovered the treading of horſes. The king left upon his table a letter to the parliament, and another to the general. Clarendon, Tom. III. p. 59.

was not ſafe for him to ſtay in the high-ways, he re- 1647.
ſolved to go to Titchfield, a ſeat of the earl of Southampton, where the earl's mother then lived with a ſmall family. There he conſulted with his three attendants, where he ſhould go. It is ſaid, Aſhburnham was the firſt to adviſe him to retire to the iſle of Wight, and put himſelf into the hands of colonel Hammond the governor, who was reckoned a man of honour. He muſt however have known, that Hammond was Cromwell's creature, by whoſe advice he had married a daughter of John Hampden, and who had lately procured him the government of the iſle of Wight. Notwithſtanding theſe reaſons, which ſhould have diverted Aſhburnham from giving ſuch advice, he ceaſed not to perſuade the king, who after ſome objections conſented to it, provided Hammond would faithfully promiſe not to deliver him up, though the parliament or army ſhould require him, but to give him his liberty to ſhift for himſelf, if he was not able to defend him. Purſuant to this reſolution, Aſhburnham and Berkley repaired to the iſle of Wight to talk with the governor, who ſeemed very much ſurprized [1] when they told him, the king was eſcaped from Hampton-court, and was willing to truſt his perſon in his hands, upon the forementioned terms. His anſwer was, he would do the king all the ſervice that lay in his power; but as he was an inferior officer, he could not promiſe to diſobey his ſuperiors in what they ſhould pleaſe to command him. After ſome fruitleſs endeavours to obtain a promiſe from him, he aſked where the king was? They told him, he was not very far off, and at laſt, after ſome time ſpent in debate, it was agreed, he ſhould go with them to the king. So they all three went together to Titchfield, and at their arrival, Hammond ſtaid below, and Aſhburnham went up to the king's chamber, to acquaint him, that Hammond was in the houſe, but had not made any promiſe. Whereupon the king cried out, *O Jack, thou haſt undone me!* With which Aſhburnham falling into a great paſſion of weeping, offered to go down and kill Hammond, but the king would not conſent to it. In ſhort, the king ſending for Hammond, endeavoured to perſuade him to promiſe not to deliver him up, but Hammond ſtill perſiſted in his firſt anſwer. Then the king, not knowing where to go elſe, and conſidering there was now perhaps no poſſible way to get from him, as he had the command of the country, and could call in what help he

Sept. 6. 1647.

[1] He grew pale, and fell into ſuch a trembling, that it was thought he would have fallen from his horſe. Ludlow, Tom. I. p. 218.

1647. pleaſed, reſolved to go with him to the Iſle of Wight. He was conducted to Cariſbrook-caſtle, where Hammond received him with his attendants, with all demonſtrations of reſpect [1].

Remark on the king's flight.

When a man conſiders all the circumſtances of the king's flight, he can ſcarce forbear thinking, he was betrayed on this occaſion. His deſign was to go beyond ſea, ſince he aſked where the ſhip lay, but there was no ſhip ready; which was ſo great an overſight, that Aſhburnham can hardly be thought to commit it through negligence or imprudence. Aſhburnham is not ſatisfied with propoſing to the king to truſt himſelf with Hammond, a creature of Cromwell's, who, according to major Huntington's information, had reſolved to deſtroy him, but even puts him under the neceſſity of confiding in him, though he refuſed to promiſe him protection. And yet, the lord Clarendon ſays very poſitively, he does not believe the king was betrayed by Aſhburnham, nor did his majeſty ever entertain the leaſt jealouſy of it. All therefore that can be ſaid in favour of this confident of the king, is what the lord Clarendon hints, I mean, That he was outwitted by Cromwell, who by ſome one of his emiſſaries perſuaded him, it ſhould prove for his majeſty's benefit, and his buſineſs be the ſooner done, that he ſhould withdraw to the Iſle of Wight. If this were ſo, Aſhburnham, probably, thinking himſelf more able than the king, had a mind to ſerve him, whether he would or no, and not to be forced to anſwer the king's objections, believed to do him a ſervice in concealing the ſecret, and putting him under an abſolute neceſſity to take a courſe, which, in his opinion, was not the moſt proper. In that caſe, if it be not treachery, it is, at leaſt, the greateſt preſumption and raſhneſs a ſubject can poſſibly be guilty of to his prince. It is not eaſy to gueſs the reaſons that could induce Aſhburnham to imagine, the king would be ſafe in the Iſle of Wight. It is to be preſumed, he was deceived himſelf, and his eaſineſs abuſed, to cauſe him to credit general promiſes, which ſignified nothing, and of which he durſt not afterwards complain. Suppoſing no treachery in what he did, probably, his eaſineſs to be deceived, procured him afterwards a very favorable and much lower than uſual compoſition, which greatly contributed to increaſe the ſuſpicions already conceived of him.

T. III. p. 61. Warwick.

T. III. p. 62.

The

[1] The parliament allowed him five thouſand pounds for his expences there. His houſhold was all diſſolved. Ruſhworth, Tom. VII. p. 876. Heath, p. 151.

The parliament was informed of the king's escape, by a letter from Cromwell, who gave the first notice of it, but without saying where the king was, though in all appearance he knew very well. He also sent a letter, which the king had left upon the table in his room, directed to both houses. He said in this letter, 1647.

The king's letter to both houses left upon his table. Rushworth, VII. p. 871. Whitelock. Heath.

"That liberty being in all times the aim and desire of "all men, he had endeavoured to obtain his. He called "God to witness, with what patience he had endured a "tedious restraint, among men who changed their princi- "ples with their condition; who were not ashamed openly "to intend the destruction of the nobility, by taking away "their negative voice, and with whom the levellers doctrine "was rather countenanced than punished: That he thought "he was bound, as well by natural as political obligation, "to seek his safety, by retiring himself for some time from "the publick view, both of his friends and enemies; but "should earnestly and unceasingly endeavour the settling of "a safe and well-grounded peace wherever he was. Fi- "nally, he desired to be heard with freedom, honour, and "safety, and then he would instantly break through his "cloud of retirement, and show himself ready to be *pater* "*patriæ*."

The parliament at first believed, the king was come to conceal himself in London, till he should find an opportunity to escape out of the kingdom. They even gave orders to search after, and stop his person. But this uncertainty did not last long. On the 15th of November, the earl of Manchester, speaker of the house of lords, received a letter from colonel Hammond, informing him, that the king, from an apprehension of his life being in danger at Hampton-court, was come into the Isle of Wight, to put himself under his protection.

The parliament cause search to be made for the king in London. Clarendon, III. p. 65. Rushworth, VII. p. 872——874.

The king, as may be observed, speaks in his letter of the principles of the Levellers, which I think incumbent upon me to explain. There had been for some time a new faction in the army, called *levellers*, that is, men who declared, "That all degrees of persons should be levelled, and an "equality established both in titles and estates, throughout "the kingdom." This was a doctrine, much like that of Wat Tyler's followers in the reign of Richard II. This faction was grown so strong, that they began to make the general

Who the levellers were. Clarendon. III. p. 66. 67.

[1] According to some, they only maintained, That no person, of whatever rank, ought to be exempted from the ordinary course of legal proceedings. Life of Cromwell, p. 65.

1647. general officers, and particularly Cromwell, very uneasy, who feared the new party would subvert all his projects if they were suffered to increase, though probably this spirit was raised by himself. They consisted of private soldiers and agitators, whom I have already described. During the contests between the army and parliament, the generals had put no restraint upon these men. They had allowed them to form a separate council, by means of their agitators, and the opinions of this council were received as being those of the army, because they were agreeable to the sentiments of the general officers. But as soon as the parliament was subdued, the general officers believed it proper to suppress these councils, and send the agitators to their respective regiments. This was more easily enjoined than executed. The soldiers refused to obey, and continued their assemblies and conferences, in spite of their officers, and the general's orders. Hence, probably, they acquired the name of levellers, because they pretended to have as much right as the officers and generals to settle the government; a principle tending to level all ranks and degrees, and consequently to breed confusion in the kingdom. The assemblies of the levellers produced sundry petitions; first, from the agitators of four regiments of horse, and afterwards of seven regiments of foot joining with them, wherein they made proposals for settling the government according to their humour, so that the general officers were not a little embarrassed. They were afraid the army would divide, at a time when their whole strength depended upon their union. For this reason, they at first bore in some measure with the levellers; which only increased the evil. At last, the insolence of these men being grown to a monstrous height, Cromwell undertook with the hazard of his life, to free the army and parliament from them. To that end, having notice that the levellers were to meet at a certain place, he came unexpectedly, attended with a chosen guard, and asking some questions of those whom he observed most active, and receiving insolent answers, knocked down two or three with his own hand, and briskly charging the rest, so dispersed them, that he took as many as he pleased, whereof he hanged some on the spot, and sent others to London. By two or three such notable encounters, he totally subdued that party, which began to grow very dangerous, and reduced the army to entire obedience. But this was not yet effected, when the king made his escape from Hampton-court, and

Cromwell disperses them. Clarendon, III. p. 67. Ludlow. T. I. p. 222.

therefore

therefore he mentions the levellers in his letter, as a party subſiſting [1]. 1647.

When the king writ this letter to both houſes, he hoped to be quickly out of the power of the army and parliament, and aſſuredly expected no anſwer, ſince he intended to keep himſelf concealed. Beſides, this letter required no anſwer, as he did nothing more than expreſs his deſire of peace. But finding himſelf ſtill, contrary to his expectation, in the hands of the army and parliament, he conceived, his eſcape from Hampton-court might be prejudicial to him, and interpreted as a deſign to hide himſelf, only to avoid anſwering the propoſitions for peace, which the parliament had prepared. For this reaſon, he reſolved to ſend the following meſſage to both houſes.

Charles rex,

" HIS majeſty is confident, that before this time, his two houſes of parliament have received the meſſage " which he left behind him at Hampton-court, the eleventh " of this month, by which they will have underſtood the " reaſons which enforced him to go from thence; as like- " wiſe his conſtant endeavours for the ſettling of a ſafe and " well-grounded peace, whereſoever he ſhould be; and " being now in a place where he conceives himſelf to be " at much more freedom and ſecurity than formerly, he " thinks it neceſſary, not only for making good his own " profeſſions, but alſo for the ſpeedy procuring of a peace, " in theſe languiſhing and diſtreſſed kingdoms, at this time " to offer ſuch grounds to his two houſes for that effect, " which upon due examination of all intereſt, may beſt " conduce thereunto. The king's letter to both houſes. Ruſhworth, VII. p. 880. Whitelock. Heath.

" And becauſe religion is the beſt and chiefeſt foundation " of peace, his majeſty will begin with that particular. " That for the aboliſhing of archbiſhops, biſhops, &c. " his majeſty clearly profeſſeth, that he cannot give his con- " ſent thereunto, both in relation as he is a chriſtian, and " a king; for the firſt he avows, that he is ſatisfied in his " judgment, that this order was placed in the church by " the apoſtles themſelves, and ever ſince their time hath " continued in all chriſtian churches throughout the world, " until this laſt century of years; and in this church, in all " times of change and reformation it hath been upheld by The king's offers and propoſals.

[1] Though Cromwell totally ſubdued that ſpirit in the army, yet the lord Clarendon ſays, it continued and increaſed very much in the kingdom. Tom. III. p. 67.

1647. " the wiſdom of his anceſtors, as the great preſerver of
" doctrine, diſcipline, and order, in the ſervice of God.
" As a king at his coronation, he hath not only taken a
" ſolemn oath to maintain this order, but his majeſty and
" his predeceſſors, in their confirmations of the great char-
" ter, have inſeparably woven the right of the church, into
" the liberty of the ſubjects; and yet he is willing it be
" provided, that the particular biſhops perform their ſeveral
" duties of their callings, both by their perſonal reſidence,
" and frequent preaching in their perſonal exerciſe, no act
" of juriſdiction or ordination, without the conſent of their
" presbyters, and will conſent, that their powers, in all
" things, be ſo limited, that they be not grievous to the
" tender conſciences of others. He ſees no reaſon why he
" alone, and thoſe of his judgment, ſhould be preſſed to a
" violation of theirs: nor can his majeſty conſent to the
" alienation of church-lands; becauſe it cannot be denied
" to be a ſin of the higheſt ſacrilege; as alſo that it ſubverts
" the intentions of ſo many pious donors, who have laid a
" heavy curſe upon all ſuch prophane violations, which his
" majeſty is very unwilling to undergo: and beſides, the
" matter of conſequence, his majeſty believes it to be a
" prejudice to the publick good, many of his ſubjects hav-
" ing the benefit of renewing leaſes, at much eaſier rates,
" than if thoſe poſſeſſions were in the hands of private men,
" not omitting the diſcouragement it will be to all learning
" and induſtry, when ſuch eminent rewards ſhall be taken
" away; which now lie open to the children of the meaneſt
" perſons. Yet his majeſty conſidering the great preſent
" diſtempers concerning church-diſcipline, and that the
" presbyterian-government is now in practice, his majeſty,
" to eſchew confuſion as much as may be, and for the ſa-
" tisfaction of his two houſes, is content, that the ſaid go-
" vernment be legally permitted to ſtand in the ſame condi-
" tion it now is, for three years; provided that his majeſty,
" and thoſe of his judgment, or any other, who cannot in
" conſcience ſubmit thereunto, be not obliged to comply
" with the presbyterian government, but have free practice
" of our own profeſſion, without receiving any prejudice
" thereby; and that free conſultation and debate be had
" with the divines of Weſtminſter, twenty of his majeſty's
" nomination being added unto them; whereby it may be
" determined by his majeſty and the two houſes, how the
" church-government, after the ſaid time ſhall be ſettled,
" or ſooner, if differences may be agreed, as is moſt agree-

" able

" able to the word of God, with full liberty to all thoſe 1647.
" who ſhall differ upon conſcientious grounds from that ſet-
" tlement; always provided, that nothing aforeſaid be un-
" derſtood to tolerate thoſe of the popiſh profeſſion, nor
" exempt any popiſh recuſants from the penalties of the
" laws; or to tolerate the publick profeſſion of atheiſm or
" blaſphemy, contrary to the doctrine of the apoſtles, Ni-
" cene, and Athanaſian Creed, they having been received
" by, and had in reverence of all the chriſtian churches,
" and more particularly by this of England, ever ſince the
" reformation.

" Next, the militia being that right which is inſeparably
" and undoubtedly inherent to the crown by the laws of
" this nation, and that which former parliaments, as like-
" wiſe this, have acknowledged ſo to be, his majeſty can-
" not ſo much wrong that truſt, which the laws of God,
" and this land hath annexed to the crown, for the protec-
" tion and ſecurity of his people, as to diveſt himſelf and
" ſucceſſors of the power of the ſword; yet to give an in-
" fallible evidence of his deſire to ſecure the performance of
" ſuch agreements as ſhall be made in order to a peace, his
" majeſty will conſent to an act of parliament, that the
" whole power of the militia, both by ſea and land, for,
" and during his whole reign, ſhall be ordered and diſpoſed
" by the two houſes of parliament, or by ſuch perſons as
" they ſhall appoint, with powers limited for ſuppreſſing of
" forces within this kingdom, to the diſturbance of the pub-
" lic peace, and againſt foreign invaſion; and that they
" ſhall have power, during his ſaid reign, to raiſe moneys
" for the purpoſe aforeſaid; and that neither his majeſty
" that now is, or any other, by any authority, derived only
" from him, ſhall execute any of the ſaid powers, during
" his majeſty's ſaid reign, but ſuch as ſhall act by the con-
" ſent and approbation of the two houſes of parliament:
" nevertheleſs his majeſty intends, that all patents, com-
" miſſions, and other acts concerning the militia, be made
" and acted as formerly; and that after his majeſty's reign,
" all the power of the militia ſhall return intirely to the
" crown, as was in the times of queen Elizabeth and king
" James, of bleſſed memory.

" After this head of the militia, the conſideration of the
" arrears due to the army is not improper to follow; for
" the payment whereof, and the eaſe of his people, his ma-
" jeſty is willing to concur in any thing that can be done
" without the violation of his conſcience and honour.

" Wherefore

1647. "Wherefore if his two houſes ſhall conſent to remit unto "him ſuch benefit out of ſequeſtrations from Michaelmas "laſt, and out of compoſitions that ſhall be made before "the concluding of the peace, and the arrears of ſuch as "have been already made, the aſſiſtance of the clergy, and "the arrears of ſuch rents of his own revenue as his two "houſes ſhall not have received before the concluding of "the peace, his majeſty will undertake within the ſpace of "eighteen months, the payment of four hundred thouſand "pounds for the ſatisfaction of the army; and if thoſe "means ſhall not be ſufficient, his majeſty intends to give "way for the ſale of foreſt-lands for that purpoſe.

"This being the public debt, which in his majeſty's "judgment is firſt to be ſatisfied: and for other public debts "already contracted upon church-lands, or any other en- "gagements, his majeſty will give his conſent to ſuch act "or acts for raiſing of moneys for payment thereof, as "both houſes hereafter ſhall agree upon, ſo as they be "equally laid; whereby his people, already too heavily "burthened by theſe late diſtempers, may have no more "preſſures upon them than this abſolute neceſſity requires.

"And for the further ſecuring all fears, his majeſty will "conſent, that an act of parliament be paſſed for the diſ- "poſing of the great offices of ſtate, and naming of privy- "counſellors for the whole term of his reign, by the two "houſes of parliament, their patents and commiſſions being "taken from his majeſty, and after to return to the crown, "as is expreſſed in the articles of the militia. For the court "of wards and liveries, his majeſty very well knows the "conſequence of taking that away, by turning of all te- "nures into common ſocage, as well in point of revenue "to the crown, as in the protection of many of his ſub- "jects, being infants: nevertheleſs, if the continuance "thereof ſeem grievous to his ſubjects, rather than he will "fail on his part in giving ſatisfaction, he will conſent to "an act for taking it away, ſo as a full recompence be ſet- "tled upon his majeſty and his ſucceſſors in perpetuity [1]; "and that the arrears now due be reſerved unto him towards "the payment of the arrears of the army.

"And that the memory of theſe late diſtractions may be "wholly wiped away, his majeſty will conſent to an act of "parliament for the ſuppreſſing and making null of all oaths, "declarations, and proclamations againſt both or either "houſe

[1] The houſe of commons conſented to allow him 20,000 l. a year, as a recompence for it. Ruſhworth, Tom. VII. p. 851.

" houſe of parliament, and of all indictments and other 1646.
" proceedings againſt any perſons for adhering unto them.
" And his majeſty propoſeth, as the beſt expedient to take
" away all ſeeds of future difference, that there be an act
" of oblivion to extend to all his ſubjects.

" As for Ireland, the ceſſation therein is long ſince de-
" termined; but for the future, and all other things being
" fully agreed, his majeſty will give full ſatisfaction to his
" houſes concerning that kingdom.

" And although his majeſty cannot conſent in honour
" and juſtice to void all his own grants and acts paſſed un-
" der his great-ſeal ſince the 22d of May 1642, or to the
" confirming of all the grants and acts paſſed under that
" made by the two houſes, yet his majeſty is confident, that
" upon the peruſal of particulars, he ſhall give ſatisfaction
" to his two houſes to what may be reaſonably deſired in
" that particular.

" And now his majeſty conceives, that by theſe his offers,
" which he is ready to make good upon the ſettlement of
" a peace, he hath clearly manifeſted his intentions to give
" full ſecurity and ſatisfaction to all intereſts, for what can
" juſtly be deſired in order to the future happineſs of his
" people, and for the perfecting theſe conceſſions, as alſo
" for ſuch other things as may be propoſed by the two
" houſes; and for ſuch juſt and reaſonable demands as his
" majeſty ſhall find neceſſary to propoſe on his part, he
" earneſtly deſires a perſonal treaty at London with his two
" houſes, in honour, freedom, and ſafety; it being in his
" judgment, the moſt proper, and indeed only means to a
" firm and ſettled peace, and impoſſible without it to recon-
" cile former, or avoid future miſunderſtandings.

" All theſe being by treaty perfected, his majeſty believes
" his two houſes will think it reaſonable, that the propoſals
" of the army concerning the ſucceſſion of parliaments, and
" their due election ſhould be taken into conſideration.

" As for what concerns the kingdom of Scotland, his
" majeſty will very readily apply himſelf to give all reaſon-
" able ſatisfaction; when the deſires of the two houſes of
" parliament on their behalf, or of the commiſſioners of
" that kingdom, or of both joined together, ſhall be made
" known unto him."

The parliament took no notice of theſe offers. Beſides that they ſaw only part of their former demands, they were always upon their guard with reſpect to the king's propoſals, wherein it was but too uſual to find ambiguous expreſſions, reſtrictions,

The parliament takes no notice of them.

1646. restrictions, and conditions expressed or implied, which made it impossible to build securely upon such foundations. We have seen several instances in the king's papers, since the beginning of his reign; and in this here, where he carries his offers farther than ever, it was easy to perceive the same method; for he was very artful, as well as his father, in the choice of his expressions. Nay, it seems that in offering to yield the power of the militia, during his whole reign, an expression often repeated in these proposals, he had some secret intention, as to resign the crown to the prince his son. Otherwise, I do not see why he affected to substitute the term of his reign, instead of that of his life, or of twenty years, as was demanded by the parliament. At least it is certain, if his offer had been accepted, as expressed in his words, he might, by resigning the crown, have put the prince of Wales, by the treaty itself, in full possession of the militia, and nomination to the great offices. But this is only a conjecture, though very probable. Be this as it will, the two houses had long since refused to treat but upon their own propositions. Neither would they allow of his explications, so apprehensive were they of his subtleties, which would have engaged them in discussions where they would have always had the same thing to fear. Such was the distrust the king's character had bred, which made a reconciliation between him and the parliament ever impracticable. It must however be confessed, that on this occasion there were other reasons which hindered the two houses from regarding the king's offers. The principal was, they were under the dominion of the army, or rather the independents, who were not for peace upon any terms whatever.

Negotiation of the Scotch commissioners with the king. Clarendon, III. p. 76.

During the king's stay at Hampton-court, the Scotch commissioners, as I observed, had treated with him, and put him in hopes that the Scots would join with his party and the English presbyterians, to deliver him from the independents. But they required a thing which he could not resolve, namely, the change of episcopal government in the church of England into presbyterian. This single point had prolonged the negotiation, and hindered the conclusion of the treaty. Cromwell had some intimation of it, and probably for that reason used all his industry to cause the king to retire to the Isle of Wight, where the Scotch commissioners could not have the same access to him.

Contest between the parliament and Scotch commissioners.

When the king went from Hampton-court, the proposals the two houses were to send him, were all ready. But the Scotch commissioners deferred from day to day to approve them

them; on pretence the intereſts of Scotland were not ſufficiently ſpecified, expecting to agree with the king, before they ſhould be preſented. This diſpute between the parliament and Scotch commiſſioners ſtill ſubſiſted, when ſuddenly the houſe of lords acquainted the commons at a conference, that having more maturely *conſidered the king's laſt meſſage*, they were of opinion to admit him to a perſonal treaty, on condition *he would give his aſſent to four preliminary* propoſitions to be paſſed into acts before the reſt ſhould be treated on. 1647. Ruſhworth, VII. p. 850, 864, 884. The lords *propoſe a* peace with the king, *for his* aſſenting to four bills. Novem. 26.

1. An act for ſettling the militia of the kingdom. Id. p. 890.

2. An act for calling in all declarations, oaths, and proclamations, againſt the parliament, and thoſe who adhered to them. Clarendon, III. p. 67. Whitelock.

3. An act, that thoſe lords who were made after the great-ſeal was carried to Oxford, may be made uncapable of ſitting in the houſe of peers.

4. An act for empowering the two houſes of parliament to adjourn as they ſhall think fit.

The next day, the commons gave their conſent to theſe propoſitions, and ordered, that the four bills ſhould be drawn, and diſpatched to his majeſty, after which a perſonal treaty with him ſhould be entered into. All this was done with ſo great expedition, that it was not poſſible for the independents to prevent what they were not prepared againſt. The Scotch commiſſioners, who had formed other projects, tried in vain to hinder the effect of this reſolution. The parliament wiſhed for peace, thereby to break the meaſures of the independents. The 6th of December, the king ſent a freſh meſſage to both houſes, earneſtly preſſing for a perſonal treaty, as being the beſt means for ſettling a peace. Novem. 27. Ruſhworth, VII. p. 915. Id. p. 926.

The 14th of the ſame month, the commons, after paſſing the four bills, and approving the inſtructions for thoſe that were to preſent them, named a committee to carry them to the king. p. 932. Whitelock.

Then they anſwered the complaints of the Scotch commiſſioners, that the four bills were not communicated to them. They ſaid, it was contrary to the rights and priviledges of parliament, to communicate bills to any perſon whatever, before they had received the royal aſſent, and that there was nothing in the treaty between the two kingdoms to the contrary: that they deſired the Scotch commiſſioners to prepare ſuch propoſitions as they ſhould judge neceſſary for Ruſhworth, VII. p. 931, 932. Whitelock

a. Rapin, by miſtake, ſays three days after. See Ruſhworth and Whitelock.

1647. for the kingdom of Scotland, that the committee might depart on the 20th.

Declaration of the Scots. Decem. 17. Rushworth, VII. p. 938.

That day, the Scotch commissioners presented to both houses a large declaration, complaining in very high language, that the parliament of England violated the covenant, in labouring for peace without the concurrence of Scotland. They insisted upon a personal treaty between the king, both houses, and themselves, that peace might be settled with mutual consent; and declared, as they could not agree to the sending of the four bills to his majesty for his assent, before any treaty upon the rest of the propositions, so they were unsatisfied with the matter of these new propositions lately communicated to them; and desired, that there might be a personal treaty with the king, upon such propositions as should be agreed upon, with advice and consent of both kingdoms.

The parliament is offended with it. Id. p. 939, 940.

This declaration gave great offence to both houses. Their reply to it was answerable in terms to the language used by the Scots; and it was ordered, that the printer of the declaration should be committed to prison.

The four bills are presented to the king. Id. p. 946.

In short, notwithstanding the opposition of the Scotch commissioners, the four bills were presented to the king the 24th of December. The next day, the Scotch commissioners came to the Isle of Wight, and delivered to the king a declaration of their dissent to the propositions they had lately seen, and the four bills brought to his majesty. After that, they had a conference with the king, wherein some things passed, which long remained secret, and which it will be necessary to relate, because on them turned the events mentioned hereafter.

The Scots declare their dissent to them. Clarendon, III. p. 67. Whitelock. Heath, p. 158.

Since the king had been in the power of the army, the Scots feared, he would unite with them. They knew they were mortally hated by the independents, and consequently, this union could not but be very prejudicial to Scotland. The army's success against the parliament and city of London increased their fear very much, and put them upon seeking means to prevent, as they thought, the impending danger. They found no properer means, than to join with the king, provided he could be persuaded to approve of the covenant, and abolish episcopacy in England. In their frequent conferences with him at Hampton-court, they intimated, that when he was delivered to the parliament, it was not with the advice of all Scotland, but only by the marquis of Argyle's credit, who tyrannized over the kingdom: that all the Scots were displeased with it, and ready to atone for

Clarendon, III. p. 76, &c.

the

the fault, by aſſiſting him with all their power to recover his juſt rights. But they added, that to engage the Scots to employ their forces to this end, his majeſty was to give them ſatisfaction concerning the covenant, and the abolition of epiſcopacy in England, for, otherwiſe, he could not expect the aſſiſtance of the Engliſh preſbyterians, which was abſolutely neceſſary. In a word, they made him hope, that the Scots would enter England with a ſtrong army, which, by the junction of the king's party, and Engliſh preſbyterians, would become ſo ſuperior to the army of the independents, that he might almoſt be aſſured, nothing would be capable to oppoſe his reſtoration. 1647.

Theſe overtures were the more agreeable to the king, as the duke of Hamilton, after his freedom from impriſonment by the army, had declared to the king's friends, he was ready to do his majeſty all the ſervice that lay in his power. On the other hand, the marquis of Ormond had informed the king of his project to return into Ireland, join with the lord Inchiquin, whom he had privately gained, and with ſome of the heads of the rebels, and make war upon the parliament, affirming, that France had promiſed to ſupply him with all neceſſaries. It was very probable, that the union between the king's party, the Engliſh preſbyterians, and the Scots, added to a diverſion in Ireland, would very much embaraſs the independents, and diſable them to withſtand ſo great a force. But to execute this project, the king was to approve of the covenant, and conſent to the abolition of epiſcopacy, which he could never reſolve. Theſe were the two ſtumbling-blocks, which hindered him from concluding a treaty with the Scotch commiſſioners, before his flight from Hampton-court. He would never grant theſe two points, and in expectation that by his ſteddineſs he ſhould induce the Scots to deſiſt from their deſires, quitted Hampton-court, without any agreement with them. When therefore he ſo earneſtly preſſed for a perſonal treaty at London, with honour, freedom, and ſafety, it was in order to treat more commodiouſly with the Scotch commiſſioners, and conſult with his friends, what could be expected as well from his own, as the preſbyterian party; and doubtleſs, in caſe he concluded a treaty with them, his deſign was to prolong the negotiation with the two houſes, till the Scotch army had entered England, and his old and new friends laid all their meaſures [1]. It was very likely, this

Ibid.

[1] This conjecture is confirmed by his majeſty's letter to the earl of Lanerick, dated at Cariſbrook, November 19, 1647, wherein he ſays, "That "his

1647. this league would find the army ſo much employment, that they would not be able to ſubdue, a ſecond time, the parliament and city of London. Accordingly, this was the end the Scotch commiſſioners propoſed to themſelves, in their objections to the propoſitions, and in their demand of a perſonal treaty with the king, upon ſuch propoſals as ſhould be agreed upon by both kingdoms, being well aſſured, it would be eaſy for them to prolong the time, till every thing ſhould be ready.

The method the two houſes took to procure the king's conſent to the four bills, amongſt which was that of the militia, before they admitted him to a perſonal treaty, convinced him, they had no deſign to relax upon any of the principal articles. He conſidered, that after paſſing theſe four bills, he ſhould ſtill be forced to treat on propoſitions much like thoſe preſented to him at Newcaſtle: that, after all, what both houſes called treating, was, according to their ideas, conſenting to their demands, and upon the leaſt refuſal to grant what ſhould be propoſed to him, he ſhould be, perhaps, more cloſely confined, when he had paſſed one of the moſt important points in diſpute: that then, he ſhould not be able to treat with the Scots, and by paſſing the four bills, ſhould loſe the preſent opportunity, which might never offer again. Theſe conſiderations determined him to agree with the Scotch commiſſioners, at a ſecond conference with them the 25th of December. As there was no time to loſe, the parliament's commiſſioners having orders to ſtay but four days in the Iſle of Wight, the Scotch commiſſioners had brought with them a treaty ready drawn, agreeable to the propoſitions they had made the king at Hampton-court. This treaty was ſigned by the king and the Scotch commiſſioners the next day, December the 26th, the king having had but few hours to reſolve. Here follows the ſubſtance of the treaty, which the lord Clarendon ſays was read but by very few, and which he repreſents as the moſt unjuſt treaty that could be impoſed upon the king. This obliges me to make remarks on ſome of the articles.

Clarendon, III. p. 82.

The ſubſtance of the treaty. Id. p. 78.

"IN the preface, the king acknowledged, that the intentions of thoſe who had entered into the covenant, were "real for the preſervation of his majeſty's perſon and authority,

"his meſſage from thence to both houſes will, he believes, have divers interpretations, and be diſliked by the Scotch commiſſioners, but the end of it was to procure a perſonal treaty. This he thought neceſſary to tell him, that he might aſſure his fellow commiſſioners, that change of place had not altered his mind, from what it was when he ſaw him laſt." *Mem. of the duke of Hamilton*, p. 325.

" thority, according to their allegiance, and no ways to 1647.
" diminiſh his juſt power and greatneſs. He promiſed, as
" ſoon as he could, with freedom, honour, and ſafety, to
" be preſent in a free parliament, to confirm the ſaid league
" and covenant by act of parliament in both kingdoms, for
" the ſecurity of all who had taken or ſhould take it."
With this proviſo however, " That none who was unwill-
" ing ſhould be conſtrained to take it." (1.)

REMARK (1.) If it is conſidered, that the Scots joined their forces with thoſe of England, only in defence of the covenant, which had been ſolemnly ſworn to in both kingdoms, it will not be thought ſtrange, the Scotch commiſſioners ſhould require this promiſe of the king: Without this, there would have been no poſſibility to engage the Scots to employ their forces to reſtore the king to his rights, and how hard ſoever this condition might appear to him, it was abſolutely neceſſary to produce the effect which he expected from his union with Scotland.

" His majeſty engaged to confirm by act of parliament
" in England, preſbyterian-government; the directory for
" worſhip; and the aſſembly of divines at Weſtminſter for
" three years; ſo that his majeſty and his houſhold ſhould
" not be hindered from uſing that form of divine ſervice he
" had formerly practiſed (2); and that during theſe three
" years there ſhould be a conſultation with the aſſembly of
" divines, to which twenty of the king's nomination ſhould
" be added, and ſome from the church of Scotland; and
" thereupon it ſhould be determined by his majeſty, and
" the two houſes of parliament, what form of government
" ſhould be eſtabliſhed after the expiration of thoſe years,
" as ſhould be moſt agreeable to the word of God."

REM. (2.) The Scotch commiſſioners were not ſo ſtupid as to imagine, the Scots with their forces alone ſhould be able to reſtore the king. They depended chiefly upon the aid of the Engliſh preſbyterians. But how was it poſſible for them to rely on their aid, if nothing were ſtipulated for them? Nay, it is aſtoniſhing they ſhould be ſatisfied with an eſtabliſhment which was to laſt but three years, conſidering how they themſelves and the Engliſh preſbyterians, whoſe aſſiſtance was abſolutely neceſſary, ſtood affected. The king himſelf did not think, doubtleſs, he was forced upon this point, ſince he had offered the ſame thing to both houſes, in his meſſage of the 10th of December.

" That an effectual courſe may be taken by act of par-
" liament, and all other ways needful or expedient, for the

1647. " ſuppreſſing the opinions and practices of Anti-trinitarians,
" Arians, Socinians, Anti-ſcripturaliſts, Anabaptiſts, Anti-
" nomians, Arminians, Familyſts, Browniſts, Separatiſts,
" Independents, Libertines, and Seekers, and generally,
" for the ſuppreſſing of all blaſphemy, hereſy, ſchiſm, and
" all ſuch ſcandalous doctrines and practices as are contrary
" to the light of nature, and to the principles of chriſtianity,
" whether concerning faith, worſhip, or converſation, or
" the power of godlineſs, or which may be deſtructive to
" order and government, or to the peace of the church and
" kingdom (3.)

REM. (3.) All theſe ſects mentioned in this article were no leſs enemies to the preſbyterians than to the church of England. Theſe three laſt articles being exactly what the king had offered in his meſſage of the 16th of November, it cannot be ſaid that he granted them through ſurprize or force.

" The king promiſed, that in the next ſeſſion of parlia-
" ment, after the kingdom of Scotland ſhould declare for,
" his majeſty, in purſuance of this agreement, he ſhould in
" perſon, or by commiſſion, confirm the league and cove-
" nant in that kingdom; and concerning all the acts paſſed
" in the laſt parliament of that kingdom, his majeſty de-
" clared, that he ſhould then likewiſe be content to give
" aſſurance by act of parliament, that neither he nor his
" ſucceſſors ſhould quarrel, call in queſtion, or command
" the contrary of any of them, nor queſtion any for giving
" obedience to the ſame."

After theſe articles concerning religion, there was a long recital of " the agreement the parliament of England had
" made, when the Scots army returned to Scotland, that
" the army under Fairfax ſhould be diſbanded; and of that
" army's ſubmitting thereunto; of their taking the king
" from Holmby, and keeping him priſoner till he fled from
" them to the Iſle of Wight; and ſince that time both his
" majeſty, and the commiſſioners for the kingdom of Scot-
" land, had very earneſtly deſired, that the king might
" come to London in ſafety, honour, and freedom, for a
" perſonal treaty with the two houſes, and the commiſſioners
" of the parliament of Scotland, which, they ſaid, had been
" granted, but that the army had, in a violent manner,
" forced away divers members of the parliament from the
" diſcharge of their truſt, and poſſeſſed themſelves of the
" city of London, and all the ſtrengths and garriſons of the
" kingdoms; and that by the ſtrength and influence of that
" army,

" army, and their adherents, propoſitions, and bills had 1647.
" been ſent to the king without the advice and conſent of
" the kingdom of Scotland, contrary to the treaties which
" are between the two kingdoms, and deſtructive to reli-
" gion, his majeſty's rights, the privilege of parliament,
" and liberty of the ſubject; from which propoſitions and
" bills the Scotiſh commiſſioners had diſſented, and proteſted
" againſt, in the name of the kingdom of Scotland."

After this preamble and recital, they ſaid, " That foraſ-
" much as his majeſty is willing to give ſatisfaction con-
" cerning the ſettling of religion, and other matters in dif-
" ference, as is expreſſed in this agreement, the kingdom
" of Scotland doth oblige, and engage itſelf, firſt, in a
" peaceable way and manner to endeavour, that the king
" may come to London in ſafety, honour, and freedom,
" for a perſonal treaty with the houſes of parliament, and
" the commiſſioners of Scotland, upon ſuch propoſitions as
" ſhould be mutually agreed on between the two kingdoms,
" and ſuch propoſitions as his majeſty ſhould think fit to
" make; and for this end, all armies ſhould be diſbanded;
" and in caſe that this ſhould not be granted, that declara-
" tions ſhould be emitted by the kingdom of Scotland, in
" purſuance of this agreement, againſt the unjuſt proceed-
" ings of the two houſes of parliament, towards his majeſty,
" and the kingdom of Scotland; in which they would aſſert
" the right that belonged to the crown, in the power of
" the militia, the great-ſeal, beſtowing of honours, and
" offices of truſt, choice of the privy-counſellors, and the
" right of the king's negative voice in parliament: and
" that the queen's majeſty, the prince, and the reſt of the
" royal iſſue, ought to remain where his majeſty ſhall think
" fit, in either of his kingdoms, with ſafety, honour, and
" freedom: that upon the iſſuing out of this declaration,
" an army ſhould be ſent out of Scotland into England,
" for the preſervation and eſtabliſhment of religion, for de-
" fence of his majeſty's perſon and authority, and reſtoring
" him to his government, to the juſt rights of the crown,
" and the full revenues; for the defence of the privilege of
" parliament, and liberty of the ſubject; for making a firm
" union between the kingdoms under his majeſty and his
" poſterity, and ſettling a laſting peace. In purſuance
" whereof, the kingdom of Scotland was to endeavour, that
" there might be a free and full parliament in England, and
" that his majeſty may be with them in honour, ſafety,
" and freedom; and that a ſpeedy period be ſet to the pre-

1647. "ſent parliament. And they undertook, that the army "which they would raiſe, ſhould be upon its march, be- "fore the meſſage and declaration ſhould be delivered to "the houſes." It was farther agreed on, "That all ſuch "in the kingdoms of England and Ireland, as would join "with the kingdom of Scotland, in purſuance of this agree- "ment, ſhould be protected by his majeſty in their perſons "and eſtates; and that all his ſubjects in England or Ire- "land, who would join with him, in purſuance of this "agreement, might come to the Scotiſh army and join "with them, or elſe put themſelves into other bodies in "England or Wales, for proſecution of the ſame ends, as "the king's majeſty ſhould judge moſt convenient, and "ſuch commanders or generals of the Engliſh nation, as "his majeſty ſhall think fit: and that all ſuch ſhould be "protected by the kingdom of Scotland and their army, in "their perſons and eſtates; and where any injury or wrong "is done unto them, they would be careful to ſee them "fully repaired, as far as it ſhould be in their power to do; "and likewiſe when any injury or wrong is done to thoſe "who join with the kingdom of Scotland, his majeſty "ſhould be careful of their full reparation (4.)"

REM. (4.) When the five laſt articles are conſidered, it plainly appears, what great advantages the king received by his condeſcenſion to eſtabliſh preſbyterianiſm in England for three years. But ſome mens prejudice againſt preſbyterianiſm, makes them think, the king paid very dear for the advantages he expected to reap from his union with Scotland.

They obliged his majeſty to promiſe, "That neither "himſelf, nor any by his authority or knowledge, ſhould "make or admit any ceſſation, pacification, or agreement "whatſoever for peace, nor of any treaty, propoſitions, bills, "or any other ways for that end, with the houſes of par- "liament, or any army or party in England or Ireland, "without the advice and conſent of the kingdom of Scot- "land; and reciprocally, that neither the kingdom of Scot- "land, nor any, having their authority, ſhould make or "admit of any of theſe, any manner of way, with any "whatſoever, without his majeſty's advice or conſent: and "that upon the ſettlement of a peace, there ſhould be an "act of oblivion to be agreed upon by his majeſty, and "both his parliaments, of both his kingdoms: that his "majeſty, the prince, or both, ſhould come into Scotland, "upon the invitation of that kingdom, and their declara- "tion,

"tion, that they ſhould be in honour, freedom, and ſafety, 1647.
"when poſſibly they could come with ſafety and conveni-
"ence; and that the king ſhould contribute his utmoſt en-
"deavour, both at home and abroad, for aſſiſting the king-
"dom of Scotland, for carrying on this war both by ſea
"and land, and all other ſupplies by moneys, arms, am-
"munition, and all other things requiſite, as alſo for guard-
"ing the coaſts of Scotland with ſhips, and protecting all
"their merchants, in the free exerciſe of their trade and
"commerce with other nations: and likewiſe, that his
"majeſty was willing, and did authoriſe the Scotiſh army,
"to poſſeſs themſelves of Berwick, Carliſle, Newcaſtle
"upon Tyne, with the caſtle of Tinmouth, and the town
"of Hartlepool: thoſe places to be their retreat, and ma-
"gazines; and that, when the peace of the kingdom
"ſhould be ſettled, the kingdom of Scotland ſhould remove
"all their forces, and deliver back again thoſe towns and
"caſtles.

"The king promiſed alſo, and undertook to pay the
"arrears of the brotherly aſſiſtance, and likewiſe the two
"hundred thouſand pounds, which remained ſtill due upon
"the laſt treaty, for return of the Scotiſh army, when
"they had delivered up the king (5.)

REM. (5.) If the four hundred thouſand pounds promiſed to the Scotiſh army, when they quitted England, be conſidered as the price of the ſale of the king's perſon, nothing could be harder, than to oblige the king to the payment of that ſum. But if it was really due to the Scots for their arrears, the king approving of the covenant of both kingdoms, by the firſt article of this treaty, the Scots could urge, that he was bound to ſee them paid the expence they had been at in maintaining the covenant.

And alſo, "That payment ſhould be made to the king-
"dom of Scotland, for the charge and expence of their
"army in this future war, with due recompence for the
"loſſes they ſhould ſuſtain therein; and that due ſatisfaction,
"according to the treaty on that behalf betwixt the two
"kingdoms, ſhould be made to the Scotiſh army in Ireland,
"out of the lands of this kingdom, or otherwiſe: and that
"the king, according to the intention of his father, ſhould
"endeavour a complete union of the two kingdoms, ſo as
"they may be one under his majeſty, and all his poſterity;
"or if that cannot ſpeedily be effected, that all liberties and
"privileges concerning commerce, traffic, manufactures,
"peculiar to the ſubjects of either nation, ſhould be com-

1647. "mon to the ſubjects of both kingdoms without diſtinction; "and that there be a communication, and mutual capacity "of all other liberties of the ſubjects in the two king- "doms (6.)

REM. (6.) If the king could not, by his own authority unite the two kingdoms, without the concurrence of the two parliaments, neither could he, without the ſame concurrence, make the privileges of both kingdoms common. So, probably, this article was put into the treaty only to dazzle the people of Scotland.

"That a competent number of ſhips ſhould be yearly "aſſigned, and appointed out of his majeſty's navy, which "ſhould attend the coaſt of Scotland for a guard, and free- "dom of trade of that nation; and that his majeſty ſhould "declare, that his ſucceſſors, as well as himſelf, are obliged "to the performance of the articles and conditions of this "agreement; but that his majeſty ſhall not be obliged to "the performance of the aforeſaid articles, until the king- "dom of Scotland ſhould declare for him, in purſuance of "this agreement; and that the whole articles and condi- "tions aforeſaid, ſhall be finiſhed, perfected, and per- "formed, before the return of the Scotiſh army; and that "when they return into Scotland, at the ſame time, *ſimul* "*& ſemel*, all armies ſhould be diſbanded in England." "The king engaged himſelf alſo, "To employ thoſe of "the Scotiſh nation, equally with the Engliſh, in all fo- "reign employments and negotiations; and that a third "part of all the offices and places about the king, queen, "and prince, ſhould be conferred upon perſons of that na- "tion; and that the king and prince, or one of them, "will frequently reſide in Scotland, that the ſubjects of that "kingdom may be known to them."

The king's conſent by this treaty to the eſtabliſhment of the preſbyterian-government in England for three years, lying heavy upon his mind, he prevailed with the commiſſioners, that it ſhould be inſerted under the ſame treaty, "That his majeſty did declare, that by the clauſe of con- "firming preſbyterian-government by act of parliament, "he is neither obliged to deſire the ſettling of preſbyterian- "government, nor to preſent any bills to that effect; and "that he likewiſe underſtands, that no perſon whatſoever "ſhall ſuffer in his eſtate, nor undergo any corporal pu- "niſhment, for not ſubmitting to preſbyterian-government; "his majeſty underſtanding, that this indemnity ſhould not

"extend

" extend to those who are mentioned in the articles against 1647.
" toleration."

To this the Scotch commissioners subscribed their hands, " as witnesses only, as they said, and not as assentors."

The lord Clarendon, in his history of the civil wars of England, exclaims against the injustice of this treaty, in the following words: V. III. p. 82.

' *No man who reads this treaty (which very few men have ever done) can wonder, that such an engagement met with the fate that attended it; which contained so many monstrous concessions, that, except the whole kingdom of England had been likewise imprisoned in Carisbrook castle with the king, it could not be imagined, that it was possible to be performed.*'

I own, whatever esteem I may have for that illustrious historian, this bare asseveration, without any explication, is not satisfactory to me. After having examined every clause of the treaty, I meet with none that to me appear monstrous. It is true, the article of settling the presbyterian-government in England for three years, might seem so to the earl of Clarendon, and those who are of his opinion. The reader is to judge, whether this *monstrosity*, if I may venture to use that term, is to be ascribed to the thing itself, or to the historian's prepossession.[1]

The king having concluded this treaty with the Scotch commissioners, delivered his answer to the commissioners of the parliament, to this effect:

The king's answer to the parliament's commissioners. Clarendon, III. p. 68. Heath. p. 160.

" That his majesty had always thought it a matter of " great difficulty, to comply in such a manner with all en- " gaged interests, that a firm and lasting peace might ensue; " in which opinion he was now confirmed, since the com- " missioners for Scotland did solemnly protest against the se- " veral bills, and propositions, which the two houses of " parliament had presented to him for his assent; so that it " was not possible for him to give such an answer as might " be the foundation of a hopeful peace. That besides, the " four bills as they were offered to him, did not only divest " him of all sovereignty, and leave him without any pos- " sibility of recovering it to him or his successors, but " opened a door for all intolerable oppressions upon his sub- " jects, he granting such an arbitrary and unlimited power " to the two houses. That neither the desire of being freed " from that tedious and irksome condition of life, which he " had

[1] The Scotish commissioners, apprehensive of being searched in their return to London, wrapt up this treaty in a piece of lead, and buried it in a garden in the isle of Wight, from whence they easily found means afterwards to receive it. Clarendon, Tom. III. p. 77.

1647. "had ſo long ſuffered, nor the apprehenſion of any thing "that might befal him, ſhould ever prevail with him to "conſent to any one act, till the conditions of the whole "peace ſhould be concluded; and then that he would be "ready to give all juſt and reaſonable ſatisfaction, in all "particulars; and for the adjuſting of all this, he knew no "way but a perſonal treaty (and therefore very earneſtly "deſired the two houſes to conſent to it) to be either at "London, or any other place they would rather chooſe."

Ludlow, T. I. p. 234. Clarendon, III. p. 67, 68.

The king not doubting but his anſwer would diſpleaſe the two houſes, would have given it ſealed to the commiſſioners, becauſe whilſt the parliament ſhould take it into conſideration, he intended to make his eſcape, having already taken ſome meaſures for that purpoſe. But the commiſſioners [1] would not receive it in that manner, ſaying, "They were not to be looked upon as common meſſengers, "and to carry back an anſwer they had not ſeen." The king fearing, their return without his anſwer would be attended with the worſt of conſequences, gave it to them open; after which they inſtantly departed.

Ibid. Ruſhworth, VII. p. 950.

They were no ſooner gone, than governor Hammond, by Sir Thomas Fairfax's order, cauſed all the king's ſervants to be put out of the caſtle, who till then had been permitted to be with him, and confined him ſo cloſely, that no man had liberty to go to him without expreſs leave [2].

Burley's inſurrection to reſcue the king. Dec. 29. Clarendon, III. p. 69. Ruſhworth, VII. p. 952. He is apprehended and executed.

It was not in vain that the governor took theſe precautions, ſince, immediately after, one captain Burley an inhabitant of the iſland, who had been firſt a ſea-officer, and afterwards general of the ordnance in one of the king's armies, endeavoured to excite the people to reſcue the king from his captivity [3]. But he laid his meaſures ſo ill, that inſtead of executing his deſign he was apprehended, and afterwards condemned, and hanged, drawn, and quartered.

Probably,

[1] The earl of Denbigh was the chief, and ſpoke to his majeſty.

[2] The king, after ſome expoſtulations for this uſage, "aſked *Hammond*, "by what authority he did it?" He ſaid, "by authority of both houſes, "*and that he ſuppoſed his majeſty was not "ignorant of the cauſe of his being thus.*" *The king profeſſed the contrary, and the governor replied*, "That he plainly ſaw, "his majeſty was acted by other counſels than ſtood with the good of the "kingdom." [The words in *Italick* are omitted by the lord Clarendon.] Whitelock, p. 287.——Some time before this, there had been conſultations and debates, both in the parliament and army, "by one man or "other to deſtroy his majeſty's perſon." Burnet's Mem. Hamil. p. 330. Clarendon, Tom. III. p. 70. Of this a general officer gave Sir John Berkley information, and adviſed, that the king ſhould eſcape if he could. See Ludlow, Tom. I. p. 227.

[3] Mr. William Liſle had undertaken to provide a ſhip for the king's eſcape, but the ſhip came not. Whitelock, p. 286.

Probably, the king depended upon this officer for his escape. 1647-8.

The king's answer being read in the house of commons, several members spoke against the king with great warmth. Cromwell among others said, Jan. 3. Heath. Manley.

"That the king was a man of great parts, and great understanding; but that he was so great a dissembler, and so false a man, that he was not to be trusted. That whilst he professed with all solemnity that he referred himself wholly to the parliament, and depended only upon their wisdom and counsel for the settlement and composing the distractions of the kingdom, he had at the same time secret treaties with the Scotish commissioners, how he might embroil the nation in a new war, and destroy the parliament. He concluded, that they might no farther trouble themselves with sending messages to him, or farther propositions, but that they might enter upon those counsels which were necessary towards the settlement of the kingdom, without having farther recourse to the king." This advice being strongly seconded by some other members, it was at length resolved, after a long debate from morning till late at night [1], that no more addresses should be made to, or messages received from, the king [2], and that a declaration should be published to satisfy the kingdom of the reason of it. This declaration was prepared in a very short time [3]. It contained all the reproaches cast upon the king in 1641, in the remonstrance of the state of the kingdom, and whatever had been complained of since that time, not without a direct insinuation that the king, when prince of Wales, had conspired with the duke of Buckingham against his father's life. They charged him with having openly betrayed the interests of the protestant religion, by lending his ships to the king of France, who employed them against Rochel. When this declaration came to be debated, it met with much opposition even in the house of commons. But the contrary party to the king did what is daily practised in the parliament: They suffered the opposers of the declaration to talk as much as they pleased, and then called for the question, which was carried by a plurality of voices; after which the declaration was

Cromwell's invectives against the king. Clarendon, III. p. 70.

It is voted, that no more addresses be made to, nor messages received from the king. Rushworth, VII. p. 953. Declaration about it. Id. p. 998. Whitelock, Clarendon, III. p. 70, 71.

[1] So say Whitelock and Rushworth, whom our author quotes, and yet says from the lord Clarendon, that the debate lasted some days.

[2] Upon pain of High-treason. See Rushworth, Tom. VII. p. 953.

[3] It was prepared by colonel Nathaniel Fiennes. Ludlow, Tom. I. p. 236.

1647-8. was sent to the house of peers, where it passed without any difficulty.

Clarendon, III. p. 55. The Scotch commissioners, before they returned home, communicated their designs to the king's party, the marquis of Ormond, and some leading presbyterians, and early preparations were made for accomplishing the project which was forming in favour of the king. The project was, as follows.

Project in favour of the king. Id. p. 74, &c. The Scots were to send an army into England to act against the independents, and deliver the king: the marquis of Ormond was to return into Ireland, where the lord Inchiquin who commanded the parliament's forces in Munster, had promised to declare for the king, and several heads of the rebels who were displeased with the tyrannical proceedings of the pope's nuntio, had ingaged to join the marquis with a strong body of their troops. At the same time, the king's friends in England were to rise in several counties. The generals and officers, discarded by the new model, had promised to assemble what forces they could, to countenance Id. p. 94. the design. The nobility, gentry, and burghers being dissatisfied that the army should govern the parliament, and all offices be conferred on persons of their party, it was not doubted but the insurrections in several parts would be sup- p. 98. ported and encouraged. On the other hand, Sir Marmaduke Langdale, and Sir Philip Musgrave, who had great interest in Yorkshire and Cumberland, ingaged to seize Berwick and Carlisle. The presbyterian party being still very numerous in the parliament and city, were preparing openly to oppose the army, as soon as they should see it employed in so many different places. Had all these projects been well managed, and executed at the same time, very probably, Cromwell, with all his art, would have been extremely embarassed. But of all those who should have acted at the same time, some were too hasty, others too slow, and by that means, the army crushed them with ease one after another. But before I relate how these several projects were attempted to be executed, I think it absolutely necessary to show the interests and views of the different parties; otherwise it would be very difficult to understand what will be said hereafter.

Designs of the independents. The independents designed to be masters of the kingdom, as they were already of the parliament and city of London. But, as they found, it would not be easy to succeed in this undertaking, by the same means they had employed to subdue the city and parliament, their aim was to make use of the

the parliament and govern in their name. It was therefore 1647-8.
their intereſt, that the power they had acquired over the parliament ſhould not be too viſible, for fear of cauſing both houſes to loſe their authority, which they meant to make uſe of. For this reaſon they were very careful to manage the two houſes, knowing, that whilſt the army ſubſiſted, they would have a regard for them, for fear of incenſing them. And in caſe they ſhould think of taking too much liberty, they knew how to reduce them to a greater compliance. Though they had diſſembled their ſentiments with reſpect to the king, after his removal from Holmby, they were his mortal enemies, and bent to oppoſe, with all their power, his reſtoration on any conditions whatever, becauſe they conſidered it as entirely deſtructive of their party. Oliver Cromwell, who privately directed their affairs, had found means, as I ſaid, to keep his poſt in the army, and his ſeat in parliament, though he had been the chief promoter of the ſelf-denying ordinance, whereby the reſt of the members were excluded from all offices military and civil. Moreover, ſince the concluſion of the war, he had brought into the houſe many more of his faction, beſides thoſe who had been there from the beginning of the parliament. Hence the independent party was grown very conſiderable in the houſe of commons, as well by their number as by the junction of ſeveral other members, who through fear, or want of judgment, ſuffered themſelves to be led by the independents, on ſome occaſions where their artifices were not eaſy to be diſcovered. But their principal ſtrength was the ſupport of the army, of which they were ſecure on occaſion. So, when any leading independent ſpoke with warmth in the houſe, he ſeldom met with oppoſition, becauſe he was conſidered as the mouth of the army.

But what was the end the independents propoſed? The event ſhowed, their principles were inconſiſtent with monarchy, with epiſcopacy, and with preſbyterian government, and that their aim was to eſtabliſh a commonwealth in the ſtate, and aboliſh eccleſiaſtical authority in the church. Nothing was more oppoſite to this deſign than the hierarchy, eſpecially, as it was known by experience to have ſupported the monarchy, not only in its juſt rights, but alſo in its moſt exorbitant pretenſions. Preſbyterianiſm, as eſtabliſhed in Scotland, and as intended to be eſtabliſhed in England, was no leſs contrary to their deſigns. They pretended it was inconſiſtent with the civil government, and to admit it would be to admit a ſort of commonwealth in the

1747-8. church, which would aſpire to an independency on the ſtate, and beſides, the preſbyterian clergy were as much againſt toleration as the epiſcopal. This they proved by the example of Scotland, where under colour of religion and godlineſs, the general-aſſemblies of the kirk pretended to intermeddle in all important affairs of the ſtate, and not only to reſiſt the civil authority, but to be bound to it in conſcience on certain occaſions. Beſides, if the biſhops had perſecuted thoſe who refuſed to conform to the church of England, the preſbyterians, ſince they were ſuperior, exerciſed no leſs tyranny upon thoſe who would not ſubmit to their government. Thus the principles of the epiſcopalians and preſbyterians being directly contrary to thoſe of the independents, theſe were equally enemies to both, and equally laboured their ruin. To execute their deſigns, they had at firſt joined with the preſbyterians, on pretence of eſtabliſhing preſbyterianiſm, but in reality to deſtroy the king. And when it was out of the king's power to hurt them, they laboured to deſtroy the ſame preſbyterianiſm, for the eſtabliſhment of which, they had ſhown more zeal than the preſbyterians themſelves.

Cromwell's views.

Such were the views of the independents: as for Cromwell's in particular, it cannot be ſaid when he began to form the project of his advancement. He had ſpent the two firſt years of this parliament in the houſe of commons as member for the town of Cambridge, without being very remarkable. Tho' he was above forty years old before he exerciſed the profeſſion of arms, he ſuddenly grew ſo expert, and ſhowed ſuch undaunted courage in all the actions where he was preſent, that he was ſoon made lieutenant-general of the army, commanded by Sir Thomas Fairfax. It can hardly be doubted, that ſince the battle of Naſeby, where he acquired freſh laurels, he had begun to think of raiſing himſelf higher. But I dare not affirm, he then thought of what he afterwards accompliſhed: I ſhould rather believe, he had only ſome general views, and was led by the events and ſituation of affairs to form more ambitious projects.

I

* Some authors relate, that Cromwell privately ſtipulated with the king, if his majeſty cloſed with the army's propoſals, Cromwell ſhould be made earl of Eſſex, knight of the garter, firſt captain of the guards, and even advanced to the degree of vicar-general, as the lord Cromwell was, under Henry VIII. But the king, who would do nothing without the advice of his queen, writ her word, "That "though he aſſented to the army's "propoſals, if by aſſenting to them "he could procure peace, it would be "eaſier then to take off Cromwell, "than now he was the head that go"verned the army." This letter was intercepted by Cromwell, who thereupon reſolved to ruin the king. R. Coke, p. 323. Life of Cromwell, p. 71.

I come now to the preſbyterians. The war was ended to the king's diſadvantage: but he was ſtill alive though a priſoner, and had ſeveral children. It was the general ſenſe of the nation, or at leaſt of thoſe who were not blinded by a ſpirit of party, that the king ſhould be reſtored, but upon ſuch terms however as ſhould hinder the conſtitution of the government from being liable to the ſame danger as before this parliament. It can't be doubted, this was the ſentiment of all honeſt Engliſhmen, when it is conſidered, that even thoſe who had nothing leſs in view than the king's reeſtabliſhment, did however publickly declare, they deſired it, for fear the contrary opinion ſhould deprive them of the people's favour, which was abſolutely neceſſary for them. This appears in all the papers publiſhed ſince the beginning of the war and the king's impriſonment. And indeed, nothing was more juſt and reaſonable. The nation's intereſt did not require that royalty ſhould be aboliſhed, or the king reduced ſo low as to be diſabled to execute the laws and protect his ſubjects. But the intereſt of the independents required the firſt of theſe two things, and that of the preſbyterians, the ſecond. Herein conſiſted the difficulty of the king's reſtoration. He was very willing to conſent, that the ordering of the militia, and the nomination to the great offices, ſhould be left to both houſes of parliament for ſome time. This was ſufficient for the intereſt of the nation in general, ſince the people would have been freed from their fears, with reſpect to the government for the future. If the presbyterians had only intended the good of the publick, they would doubtleſs, have been ſatisfied with the king's offers. But they had another intereſt, no leſs dear to them, and which diſtinguiſhed their party from the reſt of the nation, namely, the abolition of epiſcopal government, which was their greateſt concern. Nay, very likely, if they had applied themſelves at firſt to procure the good of the nation, by endeavouring to humble the regal power, it was only to effect the more eaſily their ſecret deſigns, to change the government of the church. At the juncture I am ſpeaking of, they had not altered their projects. They knew how zealous the king was for epiſcopal government, and how averſe to the presbyterian. They could not therefore, without running the hazard of loſing the fruit of their labours, leave their pretenſions undecided, and their affairs in ſuch a ſtate, that it ſhould be in the king's power to demoliſh what they had raiſed, and the king refuſed to give them any aſſurance in that reſpect. On the contrary, he

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Intereſts and views of the preſbyterians.

1647-8. plainly intimated, it was with reluctance that he granted them any thing, and even for a very ſhort time. Beſides, they had no confidence in his promiſes.

But on the other hand, they had other enemies who were no leſs formidable. Theſe were the independents, who had great advantages over them: 1. They had the king's perſon in their power. 2. They were ſupported by the army now at the gates of London. 3. The army directed, in great meaſure, the determinations of the parliament. Thus, the preſbyterians were extremely embarraſſed, ſince, whichſoever of the two parties, the royal or the independent, prevailed, their ruin was inevitable. Mean while, as the danger from the independents was the moſt imminent, as ſoon as they were informed of the reſolution taken by the Scots to ſend an army to the king's relief, they thought fit to ſuſpend their quarrel with the king, and join their endeavours with thoſe of the Scots, to deliver him from the independents. Not that they intended to reſtore him without terms: nothing was farther from their thoughts. But they hoped, with the aſſiſtance of the Scots and the royal party, to deſtroy the independents and army, and that then the parliament would be perfectly free. In that caſe, they flattered themſelves that their party would be ſufficiently powerful in both houſes, to require of the king ſuch conditions as they ſhould think proper for their deſigns. That is to ſay, they pretended to free the king from the captivity in which he was held by the independents, by means of his own friends, to put him under another, which would have been no leſs grievous to him; in a word, to put him into the power of a parliament by which he had always been oppoſed. Chimerical project, if ever there was one! It muſt be obſerved, the preſbyterians no longer prevailing in the parliament, ſince the 6th of Auguſt, their principal ſtrength lay in the aſſiſtance they could expect from the city, and the generals, officers and ſoldiers, who were caſhiered by the new model, and very ready to act againſt thoſe who had robbed them of the fruit of their labours.

Intereſts and views of the Scots.

The Scots had the ſame intereſts and views with regard to the king. They knew, the king conſidered the favours he had granted them, as extorted at a time when he could not deny them without great inconveniences. On the other hand, they had not confidence enough in him, to believe he would be punctual to his promiſes, in caſe he remounted the throne of England with all his prerogatives. It was their intereſt therefore to hinder the king from becoming too power-

powerful in England, and this had induced them to aſſiſt the parliament. But as for the independents, Scotland does not ſeem to have been ſo much concerned to oppoſe the ſuperiority they had acquired in England. Indeed, it would have been more advantageous to Scotland, if there had been no independent-party in England, if the preſbyterian had prevailed, and if the covenant had been ſtrictly obſerved. But ſince affairs had taken another courſe, and the independents had gained the advantage, it does not appear what miſchief could thence accrue to the Scots, ſince they were no leſs ſecured from the king's power, whilſt he was in the hands of the independents than when he was in thoſe of the preſbyterians. The reſolution of the Scots to aſſiſt the king can be aſcribed but to one, or perhaps all, of theſe cauſes: 1. To the fear of an union between the king and independents; but this fear was groundleſs, the principles of the two parties being diametrically oppoſite: 2. To the deſire of being revenged on their ſworn enemies, the independents, who had often mortified the Scotch commiſſioners: 3. To their extreme deſire of firmly eſtabliſhing the preſbyterian government in the church of England: 4. and laſtly, To their hopes of preſerving, by means of this new war, the advantages procured them by the covenant. The queſtion is to know, whether theſe three laſt cauſes were ſufficient to engage them indiſpenſably to undertake a war againſt England? I ſay againſt England, for they could not doubt that the parliament, directed as it was by the army, would conſider their entrance into the kingdom as an invaſion. 1647-8.

On the other hand, the royaliſts, though overthrown, being ſtill very numerous, there was great danger, that tho' the Scots, by their union with them, ſhould deſtroy the independent party and their ſupporters the army, this advantage would turn more to the benefit of the king than of the preſbyterians. At leaſt, it cannot be denied, that by uniting with the royaliſts, they would, though contrary to their intention, enable them to hold up their heads, and by their own ſucceſſes give new ſtrength to their antient enemies. Theſe were reflections which occurred to many in Scotland, where the intended new war was far from being univerſally liked. The king's party appeared very active, which was a ſign their hopes were not confined to the freeing of the king from the independents, in order to put him into the hands of the preſbyterians. The commiſſioners had ſigned the treaty of the Iſle of Wight, without being authorized

1647-8. rized by the parliament of Scotland; and the execution of that treaty, on the part of the Scots, was entirely founded upon the hopes the commiſſioners had given the king, of cauſing it to be ratified. But they had ventured to impart it only to a few friends, and ſome leading preſbyterians of England, knowing it contained not the whole of what the preſbyterians deſired. It may therefore be affirmed, the new war, for which preparations were making in Scotland, was rather the work of ſome particular perſons than of the nation in general, as will plainly appear in the ſequel.

Views of the king's party.

The deſign of the royaliſts was not, as I ſaid, to deliver the king out of the hands of the independents in order to leave him at the mercy of the preſbyterians. They knew, that when the parliament ſhould be entirely free, the king's condition would not be much better. And therefore, in jointly labouring with the preſbyterians and Scots, their aim was to reſtore the king to his former ſtate, without ſubjecting him to the terms already propoſed. Indeed there were among them ſome who would not have ſcrupled to conſent to a toleration of the preſbyterian religion, rather than hazard the king's reſtoration. Nay, ſome there were who, had they been conſulted, would have adviſed the king to ſubmit to a change introduced againſt his conſent. Though they were perſuaded that epiſcopal was more perfect than preſbyterian government, they did not think the difference between them material enough, to hinder the ſincere union of the two parties, which they conſidered as the ſole means of reſtoring the king to his rights. And this was what ſome had propoſed to the king, before he withdrew to the Scotch army. The queen and the court of France were of this opinion: but the king was not. He was ſo poſſeſſed with the neceſſity of epiſcopacy, that nothing could move him. Unfortunately for him, he had none about him but men, who, like him, believed epiſcopacy ſo eſſential to religion, that without biſhops neither the ordination of miniſters, nor conſequently the adminiſtration of the ſacraments, could be valid. It muſt not therefore be thought ſtrange, that the king had great ſcruples upon this point, ſince, according to his principles, he could not conſider the preſbyterians as members of the chriſtian-church. For how could they be chriſtians, if their baptiſm was invalid? It cannot be denied, this was the opinion of the court, and of many church-of-England men. If therefore the royaliſts had fully known the contents of the Iſle of Wight treaty, very likely, their zeal for the king's ſervice would have cooled. It has been

remem-

remembered, how much it diſpleaſed the earl of Clarendon. 1647-8.
It is very eaſy to conceive, that men of ſuch ſentiments did not mean to labour for the intereſt of the presbyterians. What therefore could be expected from the union of the royaliſts with the presbyterians and Scots, ſince they all acted with different or rather oppoſite views, and, though their common deſign had ſucceeded, they muſt have therefore diſunited, and begun a new war?

As to the king's particular views, they can only be conjectured. He was like a man that is drowning, and catches at whatever he thinks able to ſave him, or at leaſt, retard his fate. His accepting the ſervice of the Scots and presbyterians of England, was not becauſe he expected much from their condeſcenſion. He had too often experienced their injuſtice to him, to imagine they would ſeriouſly think of reſtoring him, without impoſing upon him intolerable terms. But as neceſſity obliged them to offer him their aſſiſtance, ſo neceſſity forced him to accept it, if not in expectation of obtaining his deſires, at leaſt, in hopes of delaying his ruin as long as poſſible. For he was told, and by one that was preſent, that in a council of officers at Windſor, it was moved to take away his life. He hoped, very likely, by the aid of the Scots and Engliſh presbyterians, ſo to ſtrengthen his own party, that they would be in condition to act alone, when once the independent army was diſperſed, and by that means he might be freed and enabled to make a peace upon more tolerable terms than thoſe hitherto offered. Thus by a ſtrange blindneſs, the king pretended to uſe the Scots and presbyterians to recover his rights, and theſe pretended to make the king and his party ſubſervient to their own deſigns. The king might have another view in ſetting the presbyterians and independents at variance, namely, that the weakeſt party would join with him without terms, rather than ſee their enemies triumph. The king's views. Ludlow, T. I. p. 227.

The parliament conſiſted of presbyterians and independents, and, notwithſtanding the efforts of Cromwell and his party, the presbyterians were ſtill the majority. But this party was conſiderably weakened by the abſence of eleven of their chief members driven from the houſe of commons by the army. From that time, the ſame vigour as formerly no more appeared in that houſe, becauſe it was not directed as before the excluſion of theſe members. Beſides, this example deterred the boldeſt presbyterians. So, the independents were maſters; and though the parliament was presbyterian as to number, they acted however like independents, be- The parliament's views.

1647-8. cauſe they could not do otherwiſe. As the army was near London, Cromwell had opportunity to be conſtantly in the houſe, where his preſence alone made the ballance incline to which ſide he pleaſed, in the debates where his party was concerned. The lords were under no leſs conſtraint than the commons, nor leſs expoſed to the violence of the army, which had cauſed ſeven peers to be impeached by the commons of high-treaſon, under colour of their being concerned in the tumult of the 26th of July. The tranſactions therefore of both houſes from the 6th of Auguſt 1647, and till June 1648, are to be conſidered as directed by the army, that is, by the leading independents. It may be imagined, the preſbyterian members were extremely troubled to be forced, notwithſtanding their majority in both houſes, to do things manifeſtly tending to the deſtruction of their party. But there was no remedy but patience, till time ſhould afford ſome opportunity to free themſelves from this ſlavery. This opportunity was of courſe to offer itſelf the next ſpring. Though the Scotch commiſſioners had not thought proper to impart to the leading preſbyterians the particulars of their treaty with the king, they had however intimated to them, that they were going to endeavour to raiſe an army in Scotland, to free England from the yoke of the independents, and that the king's party was to join with them, or at leaſt favour their progreſs by inſurrections in ſeveral parts of the kingdom. So the preſbyterian members impatiently expected the happy time, when the army would be indiſpenſably obliged to remove from London, to oppoſe ſo many enemies, particularly in the north. They reſolved therefore to be ready to act in the parliament at ſo favourable a juncture, and in the mean while to give no offence, for fear of being prevented by the army, who carefully watched all their proceedings. This diſſimulation was neceſſary, becauſe otherwiſe they ran the riſk of being ruined to no purpoſe, and of diſabling themſelves to ſupport their friends on occaſion.

Of the city of *London*. It remains to ſpeak of the city of London, which was no leſs concerned in what paſſed, than the reſt of the kingdom, and could be of great ſervice to the party they eſpouſed. In this great city were men of all ſects and parties; but in general, it was preſbyterian, and the common-council was of the ſame party. The army had done what lay in their power to leſſen the number of their adverſaries in that council, by cauſing the lord-mayor, ſome aldermen, and ſeveral common-council-men, to be accuſed and impriſoned, for the tumult

tumult of the 26th of July: but however, the presbyterian party was still superior in number. In expectation of the opportunity to declare openly against the army and the independents, the presbyterian party so managed, that great difficulties constantly occurred, when it was proposed to advance money for the army. The city itself was very much in arrears, with respect to the sums laid upon them for the payment of the troops. They did not want excuses to delay these arrears; but the true reason was, they thereby obliged the army to take free quarters, which made the people wish to be rid of them. The expectation of the revolutions, which the entrance of the Scots into the kingdom might produce, caused the magistrates of London to continue the same conduct, being ready to do, on all occasions, whatever was in their power to be revenged of the army. 1647-8.

I should willingly add something concerning the character of the lord Fairfax [1], general of the army, and the ends he might propose to himself; but own, I have met with little information. He was presbyterian, and yet, suffered himself to be guided by Cromwell, the head of the independents. What can be said in his favour, is, that he kept the command of the army to avoid a greater mischief, for fear, if he resigned his commission, it should be given to Cromwell, as it would certainly have been. Character of general Fairfax.

I thought it necessary, before I proceed to the great revolution in 1648, to show the views and interests of the principal actors, believing this digression would conduce very much to the understanding of what will hereafter be said.

Since the two houses had resolved to present no more addresses to the king, nor receive any messages from him, there seemed to be a strict union between the parliament and army. The council of war had consented, that all the supernumerary forces, not upon the present establishment, should be disbanded. The parliament on their part gave the army sufficient security for their arrears, and published a declaration, containing the reasons, why the army ought to be continued, though the war was over. In short, the army desisted from their pretension, to meddle with affairs of state, and left the parliament free to settle the government as they should think fit. Thus the vote for no more addresses seemed to produce such an union between the parliament and army, that they appeared to have the same views and interests, though hitherto they had been jealous of each Strict union between the parliament and the army, Dec. 30. Rushworth, VII. p. 953. The army desist from meddling in state-affairs. Id. p. 962.

[1] He was become a lord upon the death of his father, who died of a gangrene in his foot, March the 13th, this year. Rushworth, tom. 7. p. 1029.

1647-8. other. This clearly shows, what were the designs of the army, with regard to the king. As for the parliament, though the independent members were devoted to the army, it is certain, the rest, who were the majority, only dissembled their sentiments. Mean while, the independents, who met with no more opposition in the two houses, being willing to be still more assured of the parliament, caused it to be ordered, that the general should be desired to take care and guard the parliament. Pursuant to this request, the general sent a regiment of foot to Whitehall, and another of horse to the Meuse, where the king's stables stood. This was to hinder the Londoners from thinking again of using violence to the two houses.

The parliament desire a guard.

The general sends two regiments. Jan. 14. Id. p. 965, 966. Whitelocke.

Though the Scotch commissioners departed not from London till the 24th of January, they had however, by their letters, promoted their affairs, as soon as their treaty with the king was signed, so that it was now resolved at Edinburgh, the committee of estates should meet the 6th of February, and the parliament the 10th of March. This resolution was taken, notwithstanding the marquis of Argyle's opposition, who, though presbyterian as to religion, was of the same principles with the independents as to the government of the state, and had contracted a fast friendship with Cromwell and Vane. But though he ruled in great measure the rigid presbyterians, that is, those who would not depart from one single point of the covenant, the combination was so strong, that it was not only resolved to call a parliament, but that also the elections of the members were agreeable for the most part to the wishes of those who were for levying an army. The parliament of England, or rather the independent party, by whom the two houses were directed, doubted not that the aim of those who had procured this resolution, was to support the presbyterians of England who were upon the brink of ruin. Wherefore they resolved to send commissioners to Scotland [1], as well to endeavour to content the Scots, as to observe what should pass in the parliament, and try to strengthen the party of those who were against war [2].

Account of what passed in Scotland. The parliaments meets there. Clarendon, III. p. 96. Rushworth, VII. p. 977.

Id. p. 975, 977, &c. Clarendon, III. p. 99.

1648. At the opening of the parliament of Scotland, studied speeches were made by several of the members, to excite the people against the English. They represented, that the army

Motion to raise an army to act in England. Clarendon, III. p. 97.

[1] The lords appointed the earls of Wigtoun and Stamford; and the commons, Mr. Ashhurst, Brian Stapleton, and colonel Birch. Rushworth, Tom. VII. p. 978, 979.

[2] They promised, among other things, to pay the remaining 200,000l. due to the Scots, and till it was paid, to allow them 8l. per cent. interest. Idem. p. 1019.

army of England kept the king in captivity, and the parliament in such subjection, that nothing was done but what the army pleased: That, contrary to the tenor of the covenant between the two nations, the parliament had refused to debate with the Scotch commissioners, the propositions sent to the king for peace, and rejected their protestation, as if Scotland had no interest in the king: that they had in reality deposed the king by divesting him of all his prerogatives, by voting he should be no more addressed, and by hindering the Scots from having access to his person, though he was as much king of Scotland, as king of England: that it was a manifest breach of the rights of the Scots, and of the covenant between the two kingdoms, and that Scotland ought to resent this affront, or resolve to become subject to England: that for these reasons, their advice was, that speedy means might be devised to send an army into England, which should no sooner enter that kingdom, but all the English, except the army, would join with them, and by that means the parliament being restored to freedom, would re-unite with Scotland, and the covenant be punctually observed. 1648.

The parliament thought not proper to take this important motion so speedily into consideration. But to facilitate the execution of what had been resolved before their meeting, a committee of twenty-four members was appointed, with power to provide for the safety of the kingdom, in case it should be in danger. For this reason, they were called the *committee of danger*, in which care was taken, that the number of those who were for war, should be superior to those of the contrary party, and to make duke Hamilton president. A committee appointed, who are for levying an army. Rushworth, VII. p. 1019, 1949.

This committee having examined the state of the kingdom, found it to be in danger, and that it was necessary to raise an army of forty thousand men, to put it in a posture of defence. It was not possible for the marquis of Argyle, who was of the committee, to prevent that resolution. But he found means to actuate the commissioners of the general-assembly of the kirk, who some days after presented to the parliament certain demands, proper to prolong the affair. The parliament answered these demands, and the commissioners replied. As this affair will be better understood, by comparing the demands, answers, and replies, I think it necessary not to divide them. This will be of use, as it discovers the obstacles which occurred in Scotland, to the raising of the army that was to act in England. Herein also will appear, what authority the general-assembly of the The kirk commissioners are against it. Clarendon, III. p. 99. Rushworth, VII. p. 1026. Whitelock.

1648. kirk of Scotland assumed to themselves, since their commissioners thought they had a right to oppose the parliament to their face.

Rushworth, VII. p. 1047, 1052, 1053.

"1. DEMAND. That the grounds and causes of undertaking a war may be cleared to be so just, as that all "who are well-affected, may be satisfied in the lawfulness "and the necessity of the engagement, and that nothing be "acted in reference to a war, before the lawfulness of the "war, and the state of the question be agreed upon.

ANSWER. *The estates declare, That the grounds and causes of undertaking of war, shall be cleared to be so just, as that all who are well-affected may be satisfied in the lawfulness and necessity of the engagement.*

"REPLY. They conceive, that notwithstanding any "thing expressed in their lordships answer, there may be an "acting in reference to war, before the lawfulness of the "war and the state of the question be agreed upon, which "is the very thing they desire to be avoided.

"2. DEMAND. That as the breaches of the covenant, "by the prevalent party of the sectaries in England are "evident, so we desire and hope, that, according to the "treaty, it may be condescended upon, and declared by "the parliament, what are those breaches which they take "to be a ground of war, and that reparation thereof may "be sought.

ANSWER. *They think it fit, that the breaches of the covenant and treaties be presented; and the seeking of reparation, and the best time and manner thereof, considered.*

"REPLY. They neither find any breach of peace be-"tween the kingdoms, which may be a ground of war, "nor any positive resolution of parliament to seek repara-"tion.

"3. DEMAND. That there may be no such quarrel or "ground of the war, as may break the union between the "two kingdoms, or may discourage or disoblige the pres-"byterian party in England, who continue firm in adhering "to the league and covenant.

ANSWER. *They declare, that this kingdom will be so far from making any war against the kingdom of England, that any engagement they shall enter into, shall be for strengthening the union betwixt these two kingdoms, and for encouraging the professors, all well-affected in England.*

"REPLY.

" REPLY. Inſtead of that clauſe of the deſire, *The* 1648.
" *preſbyterian-party in England, who continue firm in adhering*
" *to the league and covenant*; change of expreſſion in the
" anſwer is, *the preſbyterians and well-affected in England*,
" which may intimate, that there are ſome well-affected in
" England, which are not of the preſbyterian-party, nor
" do adhere to the league and covenant.

" 4. DEMAND. That if the popiſh, prelatical, or ma-
" lignant party ſhall again riſe in arms, this nation and
" their armies may be ſo far from joining or aſſociating with
" them, that on the contrary, they may oppoſe them, and
" endeavour to ſuppreſs them, as enemies to this cauſe and
" government upon the one hand, as well as ſectaries on the
" other.

ANSWER. *They agree to the ſubſtance and matter thereof; and remit to thoſe who are to be upon the conference for ſtating the queſtion to explain the ſame.*

" REPLY. For not joining with the popiſh, prelatical,
" or malignant party, we cannot conceive wherein it needs
" explanation, unleſs there be now more favorable and
" friendly intentions towards malignants than formerly.

" 5. DEMAND. Seeing your lordſhips undertakings ſhould
" be in the firſt place for religion; we deſire, that his ma-
" jeſty's late conceſſions and offers concerning religion (as
" they have been by the church, ſo may be by the parlia-
" ment) declared unſatisfactory; whereby your lordſhips
" may give further evidence of the reality of your intentions
" for the good and ſafety of religion.

ANSWER. *They declare, that upon the agreement on the whole matter and ſtate of the queſtion, they will declare his majeſty's conceſſions concerning religion, not to be ſatisfactory.*

" REPLY. His majeſty's conceſſions being ſo prejudicial
" to the cauſe and covenant, they deſire the parliament to
" declare againſt them both poſitively, without any condi-
" tion, and preſently without delay.

" 6. DEMAND. That your lordſhips may be pleaſed not
" to fix and ſettle upon any ſuch ſtate of a queſtion, as doth
" not contain ſecurity and aſſurance to be had from his ma-
" jeſty, by his ſolemn oath, under his hand and ſeal, that
" he ſhall, for himſelf and his ſucceſſors, conſent and agree
" to acts of parliaments, enjoining the league and covenant,
" and fully eſtabliſhing preſbyterial-government, directory

1648. " of worſhip, and confeſſion of faith, in all his majeſty's
" dominions; and that his majeſty ſhall never make any
" oppoſition to any of theſe, or endeavour any change
" thereof; and that this ſecurity be had from his majeſty
" before his reſtitution to the exerciſe of his royal power;
" which we deſire for no other end, but becauſe we cannot
" ſee how religion (which has been, and we truſt ſhall be,
" the principal end of all the undertakings of this nation)
" can be otherwiſe ſecured; but that without this ſecurity
" it ſhall be left in very great hazard.

ANSWER. *That ſince religion hath been, and they truſt ever ſhall be, the principal end of all their undertakings; ſo they will be careful, that the preſent queſtion to be ſtated ſhall contain ſecurity and aſſurance from his majeſty, by his ſolemn oath under his hand and ſeal, that he ſhall for himſelf, and for his ſucceſſors, give his royal conſent to paſs acts of parliament, enjoining the league and covenant, eſtabliſhed by preſbyterial-government, the directory of worſhip, and confeſſion of faith, in all his majeſty's dominions; and that his majeſty ſhall never make oppoſition to any of theſe, or endeavour any change thereof.*

" REPLY. As there is much ſaid in the firſt part, for
" ſecurity of religion to be had from his majeſty; ſo that
" clauſe, *viz.* That this ſecurity be had from his majeſty,
" before his reſtitution to the exerciſe of his royal power is
" laid aſide, and they are left unſatisfied in that which is
" the main of that deſire.

" 7. DEMAND. That the ſame end in ſecuring religion
" which is profeſſed to be the principal cauſe of engage-
" ment) and for ſecuring all other ends of the covenant,
" ſuch perſons only may be entruſted by your lordſhips to
" be of your committees and armies, as have given conſtant
" proof of their integrity and faithfulneſs in this cauſe, and
" againſt whom there is no juſt exception or jealouſy, that
" ſo we may the more confidently encourage our flocks and
" congregations to follow the cauſe of God in their hands,
" and not to doubt of the fidelity of thoſe, who ſhall be
" entruſted by your lordſhips.

ANSWER. *That they will be careful that none ſhall be employed in the command of their armies, nor in their committees, but ſuch as are of known integrity and affection to the cauſe, and againſt whom there is no juſt cauſe of exception.*

" REPLY. Concerning ſuch as are to be entruſted in
" armies and committees, doth admit of ſome of the quali-
" fications expreſſed in the deſire, *viz.* Such as have given
" conſtant

" conſtant proof of their integrity and faithfulneſs in this 1648.
" cauſe, and againſt whom there was no juſt cauſe of jea-
" louſy, that ſo we may the more confidently encourage
" our flocks to follow the cauſe of God in their hands, and
" not doubt of their fidelity."

" 8. DEMAND. That there be no engagement without
" a ſolemn oath, wherein the church may have the ſame
" intereſt which they had in the ſolemn league and cove-
" nant, the cauſe being the ſame."

ANSWER. *They declare, that to the grounds of their engage-ments and undertaking an oath ſhall be ſubjoined, wherein both in the framing of it, and otherwiſe, the church ſhall have their due intereſt. And the eſtates of parliament deſire the commiſſioners of the church to appoint ſome of their number, to meet with ſuch of the committee of parliament of twenty-four, as ſhall be appointed by the ſame committee, for the conference and ſtating of the queſtion, for agreeing upon the grounds of an engagement, and drawing up ſuch a ſtate of a queſtion, as may unite this nation in an unanimous undertaking of ſuch duties as are requiſite for the reformation and defence of religion, the ſafety, honour, and happineſs of the king and his poſterity, and the good of this kingdom.*

" REPLY. Inſtead of that clear expreſſion uſed, namely,
" *That the kirk may have the ſame intereſt in any oath for a*
" *new engagement which they had in the ſolemn league and*
" *covenant*, they find this doubtful and uncertain expreſ-
" ſion, *That both in the framing the oath and otherwiſe, the*
" *kirk ſhall have their due intereſts.*

" And upon theſe and the like conſiderations, they con-
" ceive that their deſires, unto which they ſtill adhere as
" juſt and neceſſary, are not ſatisfied by their lordſhips
" anſwer."

The oppoſition of the kirk commiſſioners was not the only ſtorm the reſolution of levying an army drew upon the committee of danger. Eighteen lords and forty other members of parliament entered a ſolemn proteſt againſt this vote, affirming, the committee had exceeded their power, which they did not in any manner conſent to give them. There were moreover two other difficulties to ſurmount, before the parliament could poſitively order the levying an army. The firſt related to the general, who was to have the command. Naturally this poſt belonged to general Leſly now lord Newark, who had commanded the laſt army, and of whom there

Sundry proteſtations againſt the war. Ruſhworth, VII. p. 1049, 1062.

Clarendon, III. p. 112.

1648. there was no occasion to complain. But he was not fit for their purpose who were for a war. That party's scheme was to make duke Hamilton general, because he had privately declared for the king, and it was conceived he would be more proper than Lesly, to unite the royal party in England with the army of Scotland. This difficulty was at length removed, Lesly being artfully prevailed with to quit his pretension, under colour of age and infirmities. Which done, duke Hamilton had no other rival [1].

Hamilton is made general.

Order of parliament touching the covenant. Id. p. 100.

The second difficulty was much more considerable. Before the Scotch commissioners left London, they had intimated to several officers and others of the king's party, that when the Scotch army should enter England, they should be welcome to the Scots, and with them make but one body and party, for the deliverance of the king out of the hands of the independents. They had given the same assurances to Sir Marmaduke Langdale, and Sir Philip Musgrave, and by that induced them to promise to seize Berwick and Carlisle. Upon these hopes a great number of royalists repaired to Edinburgh, to join with the Scots, or be employed in their army. Moreover, a troop of horse commanded by captain Wogan, which was to have been disbanded, had retired into Scotland, to join the forces of that kingdom; and this troop, by the junction of several horse-deserters, was become four hundred strong. Duke Hamilton had put Langdale and Musgrave in hopes, that when the Scotch army should be in England, there would be no more said of the covenant, and the royalists might join with them and make but one body. But it was not in the power of those who made these promises to perform them. The marquis of Argyle, and the rigid presbyterians strongly represented, both in public and private, "That under colour of acting against the "independents in England, the royalists, that is, the mortal enemies of Scotland and of all presbyterians, were "going to be effectually restored. That this was the design of those who were so eager for a war, might easily "be perceived, both by the activity of such Scots as had "never heartily adhered to the covenant, and by the extraordinary concourse of royalists into Scotland. That even "men were sent for to Edinburgh, who were most attached "to the king's party, and most inveterate against the covenant, such as Langdale, Musgrave, Glemham, Fleming, "and others, who daily conferred with their friends, whereof "the

Rushworth, VII. p. 1032. Whitelock.

Clarendon, III. p. 100.

Id. p. 112. Rushworth, VII. p. 1071, 1114.

[1] Burnet says, he was much against accepting that employment. Mem. p. 338.

"the parliament of England had complained to no purpose. 1648.
"That the junction with the king's party consisting of
"papists, episcopalians, and other disaffected persons, was
"a more manifest breach of the covenant, than what the
"English were charged with. That, in short, by these
"proceedings the covenant, which was the basis and foun-
"dation of the union betwixt the two nations, would be
"destroyed, whilst it was pretended to raise an army to
"support it, and even whilst there was no other pretence
"to carry the war into England." These representations Clarendon, III. p. 112,
joined to the endeavours of the parliament of England's commissioners, who spared neither solicitations nor money to second them, made such impression on the people, that the parliament could not help ordering, that those who had not taken, or should refuse to take, the covenant, should not be received into the army, or joined with it at their entrance into England. After this declaration, it seemed to be out of duke Hamilton's power to perform what he had promised the royalists. But he found means to evade in some measure this order when he came into England, as will hereafter appear.

These and other obstacles, daily raised by the marquis of Argyle and the rigid clergy, were the reason the parliament could not be so speedy as the authors of the project had expected. As the people of Scotland were strongly prepossessed in favour of the covenant and union with the English presbyterians, the parliament was obliged to publish a declaration to satisfy them upon that head. But the contrary party pretended, there was no sincerity in a declaration, full of ambiguous expressions, which discovered the ill designs of those who were for a war. So, though the party who had caused the raising of forces to be ordered, was superior in the parliament, no soldiers could be levied till the middle of May, and the army was not ready till the beginning of July, tho' the Scotch commissioners had assured it should be in condition to act by the beginning of May. Moreover this army, which was to consist of forty thousand men, was not above half that number, even after the junction of the English troops. But before I speak of the success of these mighty preparations, it will be proper to see what passed in England. Delays in Scotland. Rushworth, VII. p. 1100, 1102, 1122. Whitelock, p. 298.

Wales was the place where the first scene was opened. In that country were three colonels, namely, Langhorn, Powel, and Poyer, who had faithfully served the parliament during the war, but unhappily found themselves by the new establishment, in the number of the supernumeraries who were Combination in Wales in favour of the king. Clarendon, III. p. 111.

to

1648. to be disbanded, with which they were extremely dissatisfied. Having communicated their discontents to each other, they resolved all three to declare for the king, as soon as the Scotch army should enter the kingdom. Langhorn even sent a confident to Paris, to acquaint the queen and prince of Wales with this design, desiring a commission, with supplies of money and ammunition. The commission was readily granted, but the circumstances of the queen and prince, allowed them not to send the desired supplies. Though these three officers had resolved not to declare before the Scots had entered England, they were however obliged to it sooner. Poyer, being governor and mayor of Pembroke in South-Wales, saw colonel Fleming unexpectedly arrive with the general's commission to take the government of the castle. As this alteration could not but break the measures of the three colonels, Poyer refused to obey, under colour it was unreasonable to deprive him of his government, without paying him his arrears [1]. The parliament was inflamed when they heard of this disobedience, and declared Poyer a traytor, if he did not deliver the castle within four and twenty hours after the first summons. Poyer contemned this ordinance, and even defeated Fleming, to whom some troops had been sent to put him in possession of Pembroke-castle. As the particulars of this affair are not absolutely necessary, I shall content myself with saying, that it became of greater consequence than the parliament had imagined. Not only Langhorn and Powell joined with Poyer, but all South-Wales declared for the king, whilst the lord Byron was labouring to draw North-Wales and the parts about Chester into a revolt.

Rushworth, VII. p. 1008, &c.

March. Clarendon, III. p. 111.

Rushworth, VII. p. 1017, 1033, 1034, 1036, 1050.

Id. p. 1038, 1040, 1074, 1097.

p. 1051, 1065, 1098, 1103. Clarendon, III. p. 111.

Insurrection in Kent. Rushworth, VII. p. 976, 1113.

During these transactions in Wales, there were commotions in Kent no less dangerous to the army. The king had always many friends in that county, but the neighbourhood of London and the army kept them in awe. Mean time, some gentlemen of the country having early information of the design of the Scots, took care to sow the seeds of revolt, in hopes of producing fruit in due season. The disposition of the people of Kent began to show itself in a great riot at Canterbury, the 25th of December 1647, about keeping of Christmas-day. The multitude wounded and abused the mayor and others of the magistrates, and at last the cry was, '*For God, king Charles, and Kent.*' The tumult

p. 976.

[1] He insisted upon his own disbursements and arrears, and indemnity and arrears for his soldiers. Rushworth, Tom. VII. p. 1034. His forces, with those of Langhorn and Powell, made about eight thousand, Manley, p. 175.

mult being appeaſed, and ſome of the mutineers apprehended, the parliament had a mind to puniſh them with death. But they found ſo many obſtacles, that it was May before they ſent down a commiſſion to try them. The grand jury refuſed to find the bill, to the great aſtoniſhment of the commiſſioners. There were at that time commotions forming in the county, in which the grand jury were doubtleſs concerned, and that was the reaſon of their not finding the bill againſt their accomplices. 1648. p. 1113. Whitelock.

Though the directors of the affairs for the king had reſolved to delay the Kentiſh inſurrection till the army was marched againſt the Scots, it was not in their power to defer it ſo long. Roger L'eſtrange a Norfolkman [1] being in Kent, at the houſe of Mr. Hales a young gentleman who was heir to a great eſtate, perſuaded him to undertake ſomething in favour of the king, and to ſound the gentry and people of the country that frequented his houſe. Matters were ſo ordered in the county, that about the middle of May, the people roſe, took up arms, and owned Hales for their general, in which they committed two very great errors. The firſt, in putting themſelves under the conduct of an unexperienced young man without authority. The ſecond, in riſing before the army was removed to ſome diſtance from London. As the general knew, the Scotch army was not yet ready, he detached Cromwell with part of his forces to reduce the Welſh to obedience, and then to march againſt the Scots at their entrance into England. For himſelf, he remained near London, as well to be ready to march againſt the Kentiſh-men, as to prevent the like inſurrection in London, which the army dreaded of all things. Beſides that, he had no inclination, as it afterwards appeared, to act againſt the Scots. Clarendon, III. p. 103, &c.

The number of the male-contents in Kent being greatly increaſed, they were headed by George Goring earl of Norwich, and Sir William Waller, and, in expectation that London would not fail to declare for them, advanced towards Black-Heath. Then Fairfax ſpeedily paſſed the Thames with his army over London-bridge, to give them battle. The Londoners being too wiſe to declare at ſuch a juncture, the revolters thought fit to retire, ſome to Rocheſter, and others to Maidſtone. General Fairfax attacked theſe Fairfax marches againſt the Kentiſh-men. May 29. Clarendon, III. p. 117 —119. Ruſhw. VII. p. [1130,] 1131, 1135. He defeats them. June 1. p. 1135—1137.

[1] He had been taken priſoner by the parliament, in December 1644, for attempting to betray Lynn in Norfolk to the king, and by a court-martial condemned to die; but being kept in priſon till the end of the war, was ſet at liberty. He afterwards tranſlated Joſephus, writ the Obſervators, &c. Clarendon, Tom. III. p. 104. Whitelock, p. 119, 121, 122.

1648. these last so vigorously, that he carried the town by storm, slew many of them, and took a great number of prisoners. At the first news of the defeat, those at Rochester quitted the city, and posted themselves on Black-Heath, hoping still that London would send them assistance, or receive them into the city. These two refuges failing, and hearing moreover, that a detachment of the army was approaching, they took to flight, and were dispersed; however, a great many were made prisoners. The earl of Norwich found means to pass the Thames at Greenwich in boats, with five or six hundred men, and join his friends in Essex, who were upon the point of passing into Kent, if Fairfax had not been so diligent.

Some of them pass into Essex. p. 1131. Clarendon, III. p. 119. Whitelock.

The county of Essex was in the same disposition as Kent. There had been for some time in that county, men who were earnestly labouring to excite the people against the army, and only waited an opportunity to appear openly, as soon as the army should march to the north, not questioning but the approach of the Scots would oblige them to it. Of this number were Sir Charles Lucas, lieutenant-colonel Farr, Sir Bernard Gascoign; and at the same time, the lord Capel, one of the managers of the insurrections, was labouring the same thing in Hertfordshire. Though the Kentish insurrection had been unsuccessful, the Essex royalists were not discouraged. They still hoped, either that London would declare for the king, or the Scotch army make so great progress, that the army of England would not be able to withstand so many attacks from all quarters. For there was scarce a county, but what was to have some insurrection, those especially, where the king's party prevailed during the war. So the parliament having sent a general pardon into Essex, for such as should lay down their arms, most refused it by the instances of Sir Charles Lucas, who was the most active royalist in those parts.

Clarendon. Whitelock. Rushworth, VII. p. 1131, 1135.

Fairfax marches into Essex. Id. p. 1135. Clarendon, III. p. 119.

The general remained in Kent no longer than was necessary to raise the siege of Dover undertaken by Waller, and quiet the country, to which he granted very advantageous terms, considering their present circumstances. This done, he repassed the Thames and marched into Essex [1], where the number of the revolters was increased by the junction of the troops brought out of Hertfordshire by the lord Capel. Nevertheless, as they found themselves unable to keep the field before a victorious as well as a stronger army,

The revolters retire to Colchester. Id. p. 120.

1. He was joined at Coggeshall by a thousand horse and foot. Rushworth, Sir Thomas Honywood, with two Tom. VII. p. 1150.

army, they resolved to retire to Colchester. This was an open unfortified town: but they speedily cast up such works before the avenues, that they did not fear being stormed. Here they resolved to defend themselves; and wait the event of affairs in the other counties, and particularly in the north. 1648.

The principal men, who were in Colchester, were the earl of Norwich [1], the lord Capel, Sir George Lisle, Sir William Compton, Sir Charles Lucas, Sir Bernard Gascoign, lieutenant-colonel Farr, and several other good officers, with a garrison of three thousand men, all bent to sell their lives dearly. This furnished the general with a reason, or perhaps a pretence not to attack the town in form, but to block it up, and reduce the besieged by famine. I say, this might be a pretence: for it seems, in such a juncture, when all the kingdom was in a flame, and the Scotch army expected every moment, it was not proper for the general to be employed in a blockade, which probably would last some time, whilst he left the rest of the kingdom defenceless, and was in great danger from the city of London. But as he might have good reasons to run no hazard, it is not my business to censure his conduct. All that can be said is, that his whole proceedings showed his unwillingness to fight with the Scots, that he always acted vigorously against the king's friends. May I venture to make one conjecture? Fairfax was a zealous presbyterian, but hitherto had suffered himself to be guided, or rather deceived, by Cromwell: perhaps having discovered the artifices and ill designs of this friend, he would not have been sorry to see Cromwell defeated, in expectation that if he were slain, or lost his reputation, it would be easier to make peace, which he found to be impracticable so long as Cromwell could oppose it. According to this supposition, the blockade of Colchester enabled the general to wait, without any hazard, the event of the war preparing in the north. However this be, he applied himself to the blockade, which began the 10th of June, and lasted till August [2].

The general blocks them up in Colchester. Ibid. Rushworth, VII. p. 1150, 1153, 1165, 1161, 1163, &c. Heath.

Conjecture about the general's views.

The revolted Kentishmen, as I said, had twice advanced towards London, in hopes the city would declare for them. This hope was not altogether groundless. Besides that the city was known to be very much displeased with the army,

Tumult at London. April 9. Rushworth, VII. p. 1051, 1052, 1060. Whitelock. p. 299.

[1] The same that was heretofore general Goring, governor of Portsmouth, and had been made earl of Norwich in 1644. Rapin. The lord Clarendon says, He had no experience or knowledge in war, nor knew how to exercise the office of general he had undertaken. Tom. III. p. 181.

[2] The royalists did not enter Colchester till June 13, and the articles of surrender were signed August 27. Rel. of that League by M. C.

1648. the common people had, in the beginning of April, ſhown their readineſs for any undertaking. Some perſons playing and ſporting on a Sunday in Moorfields in contempt of the ordinance of parliament, the conſtables of that quarter would have diſperſed them: but it was not in their power. The obſtinacy of the mob went ſo far, that a party of the trained-bands were forced to be ſent for. But before the party arrived, the number of the rioters was grown ſo great, that they fell upon and diſperſed the trained-bands, wounding and killing ſeveral. This ſucceſs ſo inflamed the tumult, that the mob came from all quarters to join with the mutineers. Some ſeized Newgate and Ludgate; others went to the lord-mayor's houſe, who ſeeing them coming, ran away to the Tower, whilſt others made towards Whitehall, but were repulſed by the regiment of horſe poſted in the Meuſe for a guard to the parliament. In the night the tumult ſtill increaſed: the cry was every where, *For God and king Charles.* The general, who was then in London, with only the two regiments at Whitehall and the Meuſe, immediately called a council, where it was debated, whether they ſhould ſtay for more forces, or attack the mutineers with theſe two regiments. The laſt was judged moſt adviſeable, whilſt the ſeditious were yet acting with great confuſion, and had no leader to conduct them. They were therefore vigorouſly attacked when they leaſt expected it, and thought themſelves maſters of the city, and though they made an obſtinate defence, were at length diſperſed. The parliament, having received the circumſtances of this commotion, believed it to have been very dangerous, and ordered publick thanks to be given to God in all the churches of London for its being happily appeaſed. When I ſay the parliament, I mean the parliament ſtill directed by the independents, who dreaded nothing ſo much as to ſee London declare againſt the army. But as the army was not yet removed, the magiſtrates were too wiſe to declare ſo unſeaſonably.

The mutineers are diſperſed.

I have already mentioned two of the projects againſt the army; the inſurrection in Wales, which kept Cromwell employed till the beginning of July; and that of Kent, which by too great a precipitation, miſcarried; and laſtly, of the tumult in London, which probably had been raiſed by ſome raſh and inconſiderate royaliſts, who knew nothing of the projects that were formed. I muſt now ſpeak of ſome others which were executed about the ſame time, that is, whilſt preparations were making in Scotland to ſend an-

army into England, and which were attended with no better ſucceſs. 1648.

The firſt was the duke of York's eſcape, the king's ſecond ſon, from St. James's palace, where he was under the earl of Northumberland's cuſtody, and his retreat into Holland, to his ſiſter the princeſs of Orange. Thus to have his two eldeſt ſons out of the power of his enemies was no ſmall advantage and ſatisfaction to the king [1]. The duke of York eſcapes from London. April 21. Rushworth, VII. p. 1067. Clarendon, III. p. 101.

Some days after, Langdale poſſeſſed himſelf of Berwick, and Muſgrave of Carliſle. The parliament had received ſome intelligence of the deſign to ſurprize theſe places, and might have prevented it by putting garriſons there. But as, by the late treaty with Scotland; they were to be left to the care of the inhabitants, the two houſes were unwilling by ſeizing them, to give the Scots ſo juſt an occaſion to complain, at a time when they wanted pretences to ſend an army into England. They contented themſelves therefore with ordering the mayors, to take care and provide againſt a ſurprize, which however they either could not, or would not prevent. Langdale ſeizes Berwick, and Muſgrave Carliſle. April 28. Clarendon, III. p. 115, 116. Rushworth, VII. p. 1099, 1105.

As ſoon as Langdale was maſter of Berwick, all the royaliſts in Yorkſhire, Cumberland, and Weſtmoreland came and joined them. By this means, he quickly formed a body of three thouſand foot and one thouſand horſe, which enabled him to go in queſt of general Lambert; who commanded in thoſe parts for the parliament. But he received very expreſs orders from Edinburgh not to ingage in any action, what advantage ſoever he might thence expect, but to retire about Carliſle till the arrival of the Scotch army, which he obeyed. The reaſon of this order was, that as the rigid preſbyterians of Scotland were extremely jealous of the royal party, the directors of affairs were apprehenſive, that the progreſs made in England for the king, would obſtruct the levying an army in Scotland. And indeed, it was publickly ſaid, the army was intended for the king's rather than for the ſervice of the Engliſh presbyterians. Rushworth, VII. p. 1483

The loſs of Berwick and Carliſle was followed ſoon after with another, which ſeemingly ſhould have embroiled the affairs of the independents. I mean the revolt of part of the fleet about the end of May. The parliament having ordered eight men of war to guard the ſeas during the ſummer, theſe ſhips lay in the Downs to take in proviſions, which Part of the Fleet revolt againſt the parliament, and go to Holland. May 27. Clarendon, III. p. 103. Rushworth, VII. p. 1131.

[1] This eſcape was managed by colonel Bamfield. Clarendon, Tom. III. p. 101.

1648. which was done but ſlowly, becauſe there was not much to be feared from the ſea. While this part of the fleet lay in the Downs, ſome Kentiſh gentlemen, the king's friends, frequently came on-board [1]. Whether they found in the ſailors an inclination to mutiny, or raiſed it themſelves by converſing with them, it happened ſhortly after, that the ſervice was not performed in the fleet with the ſame ſubmiſſion as before. The ſailors took the liberty to contradict their officers, and obey them no farther than they pleaſed. The officers perceiving this great alteration, acquainted the parliament with it, and immediately vice-admiral Rainſborough, who was to command that ſquadron, was ordered to repair to the fleet, and inquire into the cauſes of this diſobedience. Rainsborough, being naturally very ſevere, began to make ſtrict inquiſition on-board the admiral's ſhip; upon which the men all roſe againſt him, and ſeizing on him, put him with ſome more of the officers into the boat, and ſent them on ſhore. This was no ſooner known to the reſt of the ſhips, but they followed their example, and uſed ſuch officers as they did not like, in the ſame manner. As the fleet was not yet well victualled, they were obliged to ſtay ſome days longer in the Downs, during which the royaliſts ſupplied them with neceſſaries in the beſt manner they could. After that, they ſailed for Holland, and came to an anchor at the Brill, in order to put themſelves under the command of the duke of York, who was deſigned by the king to be lord high-admiral, as ſoon as he ſhould be of fit age for that poſt.

The Duke is received on board as admiral. Clarendon, III. p. 107, 108.

The duke of York repairing to the fleet, then at Helvoet-Sluys, was received with great acclamations. He declared the lord Willoughby of Parham, his vice-admiral [2], and appointed ſome other officers in the ſeveral ſhips, the ſailors having kept very few above the rank of a boatſwain or mate [3]. As ſoon as the prince of Wales, who was at Paris with the queen his mother, heard of this revolt, he reſolved to command the fleet himſelf, and employ it to the beſt advantage. But want of money detained him longer than he wiſhed, cardinal Mazarin not being very forward to ſupply him, no more than the earl of Ormond, who waited in vain at Paris, for the performance of his promiſes concerning Ireland. The news that the duke his brother was preparing

[1] Some of the king's friends were alſo on board, with ſome authority. Clarendon, Tom. III. p. 118.

[2] He had lately left the parliament, and withdrawn into Holland. Idem, p. 108.

[3] The caſtles of Deal and Sandwich declared alſo about this time for the king, but were reduced by colonel Rich. Ludlow, Tom. I. p. 257.

paring to sail with the fleet, made him repeat his endeavours to procure money upon loan, and succeeding at last, came to Calais, and from thence by sea to Helvoet-Sluys. He was received by the fleet with all the respect and joy that could be desired; and having provided what was wanting, by the prince of Orange's assistance, sent back the duke of York to the Hague, it not being proper to venture both at one time. His design was to seize Yarmouth, whether to go from thence and head the Scotch army, when it should be in England, or to secure an entrance into the kingdom, when there should be occasion. In sailing to Yarmouth, he took a ship of London, bound for Rotterdam, laden with cloth by the company of merchant-adventurers. It was said this ship was worth forty thousand pounds. He ordered the goods to be sealed up, and continued his course. But he succeeded not at Yarmouth as he expected, the town refusing to admit him, though great part of the inhabitants were for the king. Wherefore he resolved to enter the Thames, as well to intercept all outward and homeward-bound ships, as to support the king's party, and that of the presbyterians in the parliament and city; for he was not ignorant of the projects that were formed. Besides, the queen his mother had enjoined him to court the presbyterians, conceiving it was only by their means, that the king could be restored. For this reason also, he afterwards released the cloth-ship for twelve thousand pounds.

1648. July. The prince of Wales comes to the fleet. Id. p. 109. He sails towards Yarmouth. Takes a ship richly laden. p. 121, 122. Is refused admittance into Yarmouth. Enters the river Thames. Rushworth, VII. p. 1204; 1206, 1208; Clarendon, III. p. 109, 111. p. 122.

Whilst the prince lay in the Thames, where he seized some other merchant-ships, the earl of Warwick, being well assured of the fidelity of the rest of the ships at Portsmouth, and elsewhere, assembled a fleet, and anchored in sight of the prince; so that in all appearance the two fleets would not part without an engagement. But though the prince seemed inclined to it, he was advised to avoid it if possible, and not without reason. His ships were fewer, and much smaller than the earl of Warwick's; besides, the earl expected others from Portsmouth every moment, which arriving the next day, rendered him very superior. So the prince sailed back to Holland, and secured his fleet at Helvoet-Sluys. The earl of Warwick followed him, and appeared before that port, but to no manner of purpose.

The earl of Warwick approaches him, in order to engage him. Id. p. 123. They part without fighting. p. 124, 152. Rushworth, VII. p. 1145, Ludlow.

Thus ended the prince of Wales's expedition with the ships revolted from the parliament. The money he received for the prizes he had taken, was not sufficient to pay his fleet, and provide it with necessaries, so that it procured him more trouble than advantage. Before I leave this sub-

1648. ject, it will not be improper, briefly to explain some circumstances in the lord Clarendon's history.

Explanation of some circumstances related by the lord Clarendon, III. p. 123.

Whilst the two fleets lay in sight, and seemed to prepare for battle, the prince sent Harry Seymour to the earl of Warwick, with a letter to invite him to return to his allegiance. The earl answered, that he advised his highness to put himself into the hands of the parliament. Notwithstanding this discouraging answer, the prince sent Mr. Crofts to the earl, who had married his aunt, imagining, he durst not venture to discover his sentiments to Seymour. But Crofts returned with much the same answer. Hence it appears, the prince thought he had some room to rely on the earl of Warwick, as the lord Clarendon insinuates, and the ground of his hope, which was properly the effect only of his, or rather of the whole royal party's, prepossession, was briefly this. The Scotch commissioners, as I said, did not acquaint the leading presbyterians with the particulars of their treaty with the king in the Isle of Wight. They only told them, an army would be raised in Scotland to deliver the king out of the hands of the independents, and that it was necessary the royalists and presbyterians should second these endeavours, by acting jointly or separately. This proposal being accepted, the royalists and presbyterians prepared, as I have said, to countenance the designs of the Scots by insurrections in several parts of the kingdom. Matters standing thus, Henry Rich earl of Holland, who had acted an ill part in the late war, had a mind on this occasion, to reconcile himself to the king, by labouring his restoration. To that end, he received a commission from the prince of Wales, impowering him to raise forces for the king's service, and his brother the earl of Warwick promised to assist him in his designs. This is what the prince knew, and what made him believe the earl of Warwick was in the same disposition with his brother. But there was a wide difference between the views of the royalists, and those of the presbyterians. These, of whom the earl of Warwick was one of the heads, did not pretend to restore the king without terms, but only to free him out of the hands of the independents, to make conditions with him afterwards, which they called settling the peace of the kingdom. But the prince, and the king's whole party would not understand this difference, and preposterously imagined, that all who had promised to act against the independents, had thereby engaged to serve the king without terms. Herein lay the mistake. It is therefore evident,

Id. p. 95.

the

the earl of Warwick, who acted upon presbyterian views, could not believe it his interest to deliver the fleet to the prince, since, notwithstanding the present occasion which induced the presbyterians to be in a readiness to act against the army, they still considered the royal party as their real enemies. 1648.

In the beginning of June, the king's friends found means to surprise Pontfract Castle in Yorkshire, and put a garrison there. Shortly after Scarborough Castle revolted from the parliament, and declared for the king. Pontfract castle surprised. Rushw. VII. p. [1133.]

The Scotch army being at length upon the point of entering England, general Fairfax being still employed in the blockade of Colchester, and Cromwell in the siege of Pembroke, and as there were but two regiments in London, Henry Rich earl of Holland, thought he could not have a fairer opportunity to execute his design in favour of the king. This design was so far from being a secret, that it was become the common talk of the city. It was known beforehand, what day the earl of Holland was to depart, and the parliament did not seem to regard it. It was not for want of information; but the scene of affairs was much altered since the army's removal from London. The independents prevailed no more in the parliament, and the presbyterians began to hold up their heads. For this reason, the independents did not think proper, at such a juncture, to take any steps that might induce the city of London to declare openly. On the other hand, the presbyterian members were far from endeavouring to prevent the earl of Holland's design, which they considered as flowing from the general combination for the delivery of the king out of the hands of the enemy. So, the earl publickly departed from London, with about one hundred horse, and came to Kingston upon Thames, where George Villiers the young duke of Buckingham, the lord Francis Villiers his brother, Henry Mordaunt earl of Peterborough, and the family of the earl of Northampton, met him with some troops [1]. As soon as they were joined, they sent a letter to the lord-mayor and common-council of London, declaring their intention was to join the forces of Surry, Sussex, and Middlesex, to release his majesty's person, to bring him with honour to his parliament, and to settle peace in the kingdom: and desired their assistance no farther than their designs were really for the good and happiness of the king, parliament, and kingdom, '*according to the covenant.*' These last words, Project of the earl of Holland. Clarendon. III. p. 95. 96. He is joined by the duke of Buckingham and others. Clarendon. III. p. 95 96. Rushworth, VII. p. 1178. They write to the city July 7. p. 1180.

[1] They made up about five hundred horse. Rushworth, Tom. VII. p. 1178.

1648. *according to the covenant*, ſeemed neceſſary, becauſe they knew the presbyterians wiſhed for nothing ſo much as the confirmation of the covenant. But the magiſtrates of London thought not fit to chuſe for leaders, the earl of Holland, who was in no great repute, or the duke of Buckingham an unexperienced youth, who had only the king's ſervice in view, without any regard to the publick, or the covenant; or in ſhort, any of theſe lords, whoſe principles were by no means agreeable to thoſe of the presbyterians. So, without anſwering the letter, they ſent it to the parliament, who immediately voted the lords that had ſigned it to be traitors, and their eſtates to be ſequeſtred.

They are declared traitors. Ibid.

They are defeated near Kingſton. Id. p. 1182.

The ſame day the letter was writ, colonel Leveſey, with ſome companies of the two regiments that were quartered in Weſtminſter, met theſe lords near Kingſton, and entirely routed them. But, Leveſey's foot which was left behind, not being yet arrived, and the lords having ſent theirs to Kingſton, to ſecure their retreat, the horſe only, on both ſides, were engaged. Leveſey briſkly purſued them to Kingſton, where the foot ſtood their ground, and hindered the enemies horſe from entering the town. That ſame night they quitted Kingſton, and retired to St. Albans, with about four hundred men.

They are ſurprized at St. Neot's, where the earl of Holland is taken, July 10. Id. p. 1187. Whitelock.

Mean while, general Fairfax hearing of this inſurrection, ſent from the blockade of Colcheſter, colonel Scroop with a regiment of horſe, to the aſſiſtance of the parliament's troops. Scroop coming to Hertford, was informed, that the lords who had been defeated at Kingſton, were at St. Neot's in a negligent manner. Upon this intelligence, he marched thither in the night, and ſurpriſed them in that little town, killing ſome of their men, taking above a hundred priſoners, and diſperſing the reſt. The lord Francis Villiers was ſlain [1]. His brother the duke of Buckingham found means to eſcape, and the earl of Holland was taken, conducted to London, and afterwards ſent priſoner to Warwick-caſtle. Thus ended this ill-concerted enterprize, managed by perſons of no experience or ſkill in the art of war.

Ruſhworth, VII. p. 1189.

The Scotch army enters England. Pembroke caſtle ſurrenders, July 11. Cromwell marches towards the north.

At laſt, duke Hamilton entered England at the head of the Scotch army, the 9th of July. The eleventh of the ſame month, Pembroke-caſtle ſurrendered to Cromwell, who immediately diſpatched a body of horſe to reinforce the army in the north, commanded by major-general Lambert. He departed himſelf three days after, with the reſt of his forces, which were already very much fatigued by the late ſiege, and

1 He was ſlain in a ſkirmiſh at Kingſton. Whitelock, p. 318.

and of which the greateſt part wanted ſhoes and ſtockings, though they undertook a long march, which probably would be followed with a battle. Theſe difficulties diſcouraged not Cromwell. He purſued his march with all poſſible diligence, and yet could not join Lambert till the middle of Auguſt. We muſt now ſee what duke Hamilton was doing, whilſt Cromwell was marching towards him. 1648. Id. p. 1188, 1190, 1195, 1207. Clarendon, III. p. 124. Burnet's Mem. p. 355.

The deſign of thoſe who had prevailed for the raiſing an army in Scotland, ſeemed to be to aſſiſt the Engliſh preſbyterians, to free the parliament from the yoke of the independents, and to deliver the king out of the hands of the army. Theſe at leaſt were the moſt plauſible things that were urged to induce the parliament of Scotland to conſent to this extraordinary expedition. But it may very juſtly be doubted, whether this was the deſign of all the leaders of that party. Some, among whom were duke Hamilton and his brother the earl of Lanerick, probably, ſought only to reſtore the king without terms, or at leaſt without any other condition than what he had himſelf offered, namely, his promiſe to obſerve the ancient laws. They did not much concern themſelves about maintaining the eſtabliſhment of preſbyterianiſm in England, or the covenant between the two nations. Others, as the earls of Loudon and Lauderdale, who had been commiſſioners in England, really intended to ſerve the king, but upon theſe two conditions, that the preſbyterian-government ſhould be eſtabliſhed in the church of England, and the covenant punctually obſerved. As they thought, they had taken ſufficient care of theſe two points by the Iſle of Wight treaty, they little regarded the other conditions required of the king by the parliament of England, concerning the militia, nomination to the great offices, &c. But very likely, their deſign was to deceive one another. Theſe meant to make uſe of the king's party to procure the execution of the Iſle of Wight treaty, and the king's party, feigning to agree to what the others deſired, intended to make uſe of them to enable the king not to be forced to receive any terms. The duke of Hamilton's conduct after his entrance into England, ſeems to me a very ſtrong evidence, that he deſigned not to act in favour of the preſbyterians. If he had ſuch an intention, he ſhould not, it ſeems, have loſt, as he did, forty days in the northern counties, but have marched directly to London. Lambert would not have been able to hinder his march, being much weaker than he. Cromwell was yet employed in Wales, and Fairfax in the blockade of Colcheſter. Probably, if, without loſing time, he

The duke of Hamilton's aim.

Ruſhworth, VII. p. 1197.

The Scotch Commiſſioners and royaliſts would deceive one another.

Duke Hamilton loſes a great deal of time in the north.

Clarendon, III. p. 124, 125.

1648. he had marched to London, he would have arrived before Cromwell and Lambert could have joined their forces; and if Fairfax had quitted the blockade of Colcheſter, in order to throw himſelf into London, very likely, the inhabitants would have ſhut their gates againſt him, ſince they would have been ſupported by the army of Scotland. At leaſt, in caſe Fairfax had riſen from before Colcheſter, that town, the whole county of Eſſex, and doubtleſs, Suffolk and Norfolk, would have joined with the Scots. In a word, if the Scotch army had marched towards the center of the kingdom, there would, doubtleſs, have been in many places, inſurrections, which would have greatly diſtreſſed the army of the independents; and if duke Hamilton could have reached London, certainly the city and parliament would have openly declared againſt the army, and expelled out of both houſes, the independent members. It will hereafter appear, theſe are not bare conjectures, conſidering what paſſed in the city and parliament, whilſt it was expected, the Scotch army would take the courſe I have been ſpeaking of.

Conjectures of the lord Clarendon's, T. III. p. 125

But duke Hamilton had doubtleſs other views, ſince he ſtaid above a month in the north, without any neceſſity. The lord Clarendon conjectures, the duke's intention was, to afford time to the Engliſh army to defeat thoſe forces which were up in ſeveral parts of the kingdom for the king; that they might not be ſo united as to obſtruct the preſbyterians deſign. But, whatever regard I may have for that noble hiſtorian, I cannot be of his opinion, for two reaſons which to me ſeem very ſtrong. The firſt is, that duke Hamilton was not a zealous presbyterian. On the contrary, though he had taken the covenant, he was epiſcopal in his heart, as he had ſufficiently diſcovered whilſt he could do it without danger. The ſecond is, that he was the man who had moſt courted and drawn into Scotland the royaliſts, whilſt the voting of an army was in queſtion. I ſhould rather think, he had a quite contrary aim to what the lord Clarendon imputes to him; that inſtead of deſigning to countenance the presbyterian party, he rather feared to render them too powerful, by approaching London, knowing, when the king ſhould be in the hands of the presbyterians, his condition would not be much happier. Very likely, his long ſtay in the north, was only to give the king's friends in thoſe parts opportunity to join Langdale's forces, and thereby render the king's party ſuperior.

Different conjectures.

The duke marches.

However this be, not to dwell too long upon conjectures, as ſoon as duke Hamilton entered England, he marched to

Carliſle,

Carlisle, from whence he drew out the English, placed there by Musgrave, and put in a Scotch garrison. Some days after, Langdale joined him with about four thousand English foot, and seven or eight hundred horse[1]. But these troops remained separate, and in the marches, Langdale was always a day before the Scotch army. This was to evade in some measure the order of the parliament of Scotland, that the English who should refuse to take the covenant, should not be received into the army, nor act in conjunction with the Scots. Nevertheless the English and Scots made but one army, under the command of duke Hamilton, from whom Langdale received orders. Lambert who was posted near the place where the two armies joined, or at least approached each other, retired in such disorder, that probably he would have been defeated, had he been pursued; but duke Hamilton did not think fit to improve that advantage. He continued some days at Carlisle, after which he marched to Kendal in Westmoreland, where he rested again, till finding not wherewithal to subsist his army, he was forced, as it were, to proceed to Lancashire with part of his army, leaving the rest at Kendal. At length, he advanced to Preston, where he halted, the reason whereof is not known, unless it was to stay for Monroe, who was coming with three thousand men out of Ireland.

1648.

Rushworth, VII. p. 1189, 1193. He is joined by Langdale, p. 1200. Clarendon, III. p. 124, 125. Burnet's Mem.

He enters Lancashire,

Mean while, Cromwell having reached Yorkshire, Lambert instantly joined him, and they marched together directly to Preston, where duke Hamilton lay. Langdale who made the van of the duke's army with his English troops, sent him notice that Cromwell was approaching with a resolution to give him battle, and consequently it was necessary to keep his army together. But the duke regarded not this intelligence, believing it to be only some detachment of Cromwell's army. In short, Langdale was attacked by the enemies horse, who drove him to Preston, where he brought with him some prisoners, who affirmed that Cromwell's whole army was near. Whereupon the duke sent him back to his troops, promising to send him assistance, but disappointed him. So Langdale being attacked, was forced to maintain a very unequal fight, which lasted however five or six hours; but at last he was entirely routed. Immediately after, Cromwell's horse marched directly to Preston, where all was in such confusion that nothing was thought of but flight. The duke himself thought proper to retire by the bridge,

Cromwell joins Lambert. July 17. Rushworth, VII. p. 1221, 1219. Clarendon, III. p. 125.

He defeats Langdale. Ibid.

The duke's army is routed. Id. p. 126. Burnet's Mem.

[1] Duke Hamilton brought with him four thousand horse, and ten thousand foot. See Burnet's Mem. p. 356.

1648. bridge, which he in vain endeavoured to guard, after raising it. The following letter was ſent by Cromwell to the parliament, the 20th of Auguſt, containing a particular account of what paſſed between the two armies, on the 17th, 18th, and 19th of Auguſt.

Cromwell's letter about it. Ruſhworth, VII. p. 1237.

"AFter the conjunction of that party which I brought with me out of Wales with the northern forces about Knaresborough and Wetherby, hearing that the enemy was advanced with their army to Lancaſhire, we came the 6th inſtant to Hodder-bridge over Ribble, where we had a council of war; and upon advertiſement the enemy intended ſouthward, and ſince confirmed, that they re-reſolved for London itſelf, and information that the Iriſh forces under Monroe, lately come out of Ireland, which conſiſted of twelve hundred horſe, and fifteen hundred foot, were on their march towards Lancaſhire to join with them, it was thought, to engage the enemy to fight was our buſineſs; and accordingly marching over the bridge that night, quartered the whole army in the fields. Next morning we marched towards Preſton, having intelligence that the enemy was drawing together thereabouts from all his out-quarters; we drew out a forlorn of about two hundred horſe, and four hundred foot; theſe gallantly engaged the enemy's ſcouts and out-guards, until we had opportunity to bring up our whole army. So ſoon as our foot and horſe were come up, we reſolved that night to engage them if we could; and therefore advancing with our forlorns, and putting the reſt of the army into as good a poſture as the ground would bear, (which was totally inconvenient for our horſe, being all incloſure and miry ground) we preſſed upon them through a lane, and forced them from their ground, after four hours diſpute, until we came to the town; into which four troops of my regiment firſt entered; and being well ſeconded by colonel Harriſon's regiment, charged the enemy in the town, and cleared the ſtreets. At laſt the enemy was put into diſorder, many men ſlain, and many priſoners taken; the duke with moſt of the Scots horſe and foot retreated over the bridge; where after a very ſhot diſpute betwixt the Lancaſhire regiments, (part of my lord general's and them being at puſh of pike) they were beaten from the bridge, and our horſe and foot following them, killed many, and took divers priſoners; and we poſſeſſed the bridge over Derwent, and a few

houſes,

" horſes there, the enemy being drawn up within muſquet- 1648.
" ſhot of us, where we lay that night, we not being able
" to attempt further upon the enemy, the night preventing
" us. In this poſture did the enemy and we lie moſt part
" of that night; upon entering the town, many of the
" enemy's horſe fled towards Lancaſter, in the chaſe of
" whom we had divers of our horſe, who purſued them
" near ten miles, and had execution of them, and took
" about five hundred horſe, and many priſoners: we poſ-
" ſeſſed in the fight very much of the enemy's ammunition;
" I believe they loſt four or five thouſand arms; the num-
" ber of the ſlain we judge to be about a thouſand, the
" priſoners we took near about four thouſand.

" In the night they marched away, ſeven or eight thou-
" ſand foot, and about four thouſand horſe; we followed
" them with about three thouſand foot, and about two
" thouſand five hundred horſe and dragoons; and in this
" proſecution that worthy gentleman colonel Thornhaugh,
" preſſing too boldly, was ſlain, being run into the body,
" thigh, and head, by the enemies lancers: our horſe ſtill
" proſecuted the enemy, killing and taking divers all the
" way; but by that time our army was come up, they re-
" covered Wigan before we could attempt any thing upon
" them. We lay that night in the field cloſe by the enemy,
" lying very dirty and weary, where we had ſome ſkirmiſhing,
" &c. We took major-general Van Druſke, col. Hurrey,
" and lieutenant-colonel Ennis.

" The next morning the enemy marched towards War-
" rington, made a ſtand at a paſs near Winwick; we held
" them in ſome diſpute until our army was come up, they
" maintaining the paſs with great reſolution for many hours;
" but our men, by the bleſſing of God, charged very home
" upon them, beat them from their ſtanding, where we
" killed about a thouſand of them, and took (as we believe)
" about two thouſand priſoners, and proſecuted them home
" to Warrington-town, where they poſſeſſed the bridge.
" As ſoon as we came thither, I received a meſſage from
" lieutenant-general Bailey, deſiring ſome capitulation; to
" which I yielded, and gave him theſe terms: That he
" ſhould ſurrender himſelf and all his officers and ſoldiers
" priſoners of war, with all his arms, ammunition, and
" horſes, upon quarter for life; which accordingly is done.
" Here are took about four thouſand complete arms, and
" as many priſoners: and thus you have their infantry
" ruined.

" The

1648. "The duke is marched with his remaining horſe, (which "are about three thouſand) towards Nantwich, where the "gentlemen of the county have taken about five hundred "of them; the country will ſcarce ſuffer any of them to "paſs, but bring in and kill divers as they light upon them. "I have ſent poſt to my lord Grey and Sir Edward Rhodes, "to gather all together with ſpeed for their proſecution: "Monroe is about Cumberland, with the horſe that ran away, and his Iriſh horſe and foot; but I have left a conſi- "derable ſtrength, I hope, to make reſiſtance till we can "come up to them.

"Thus you have the narrative of the particulars of the "ſucceſs. I could hardly tell how to ſay leſs, there being "ſo much of God; and I was not willing to ſay more, leſt "there ſhould ſeem to be any thing of man; only give me "leave to add one word, ſhewing the diſparity of the forces "of both ſides; that ſo you may ſee, and all the world ac- "knowledge, the great hand of God in this buſineſs. The "Scots army could not be leſs than twelve thouſand foot "well armed, and five thouſand horſe; Langdale not leſs "than two thouſand five hundred foot, and fifteen hundred "horſe; in all twenty one thouſand: in ours, in all, about "eight thouſand ſix hundred, and by computation about "two thouſand of the enemy's ſlain, betwixt eight and "nine thouſand priſoners, beſides what are lurking in hedges "and private places, which the country daily bring in, or "deſtroy."

The duke is taken priſoner, and his whole army diſperſed. Clarendon, III. p. 126, 132. Ruſhworth, VII. p. 1239, 1242. Ludlow. Whitelock.

To finiſh, in a few words, the relation of the unfortunate end of duke Hamilton and his army, I ſhall add, to what is ſaid in Cromwell's letter, that the duke retiring to Nantwich, and finding himſelf purſued by Lambert with a ſtrong party of horſe, marched to Utoxeter in Staffordſhire; where Lambert was almoſt as ſoon as he, and where the Scots made not the leaſt ſhow of reſiſtance. In a word, the duke was taken with all the officers about him; and of the whole army, the horſe only eſcaped, who went and joined Monroe in Cumberland. To this came the great effort of Scotland in favour of the king. I ſay in favour of the king, for it is certain, moſt of the authors of the enterpriſe intended the king's reſtoration, though they covered their deſign with other pretences.

Colcheſter ſurrenders at diſcretion to Fairfax. Auguſt 27.

The defeat of the Scotch army was followed, within few days, by the taking of Colcheſter, the blockade whereof had laſted above two months. The beſieged having been forced to ſurrender at diſcretion, the general called a council

of

of war, where it was determined, that Sir George Liſle, Sir Charles Lucas, and Sir Bernard Gaſcoigne [1] ſhould be ſhot to death. The two firſt were executed, but the general hearing, Sir Bernard was a Florentine, ſaved his life, for fear the Grand Duke ſhould revenge his death on the Engliſh gentlemen, who frequently travelled into his dominions [2]. 1648. Ruſhworth, VII. p. 1241, —1247. Lucas and Liſle ſhot to death. Clarendon, III. p. 136, 137.

The prince of Wales was at the Hague, when the news of duke Hamilton's defeat arrived there. On the morrow, John Maitland earl of Lauderdale waited on him with a letter from the parliament of Scotland, inviting him to come into their country, and head their army in England. But the news he had received the day before being confirmed, he did not think fit to hazard his perſon to no purpoſe, though the earl of Lauderdale preſſed him extremely to depart. So, the earl was obliged to return all alone. Lauderdale preſſes the prince in vain to go into Scotland. Clarendon, III. p. 124, 129, &c. Ruſhworth, VII. p. 1230.

After the recital of the effects of the ſeveral commotions raiſed by the king's friends in the laſt ſeven or eight months, it will be neceſſary, before we proceed, to ſpeak of what paſſed the mean while in the parliament and city. The ſtate of the parliament and city.

Since the two houſes had voted no more addreſſes to the king, there was a perfect union between the parliament and the army. The army no more pretended to meddle in ſtate-affairs. They conſented that the ſupernumerary troops, that is, ſuch as were not upon the late eſtabliſhment, ſhould be diſbanded by companies, as money was raiſed to pay them. They promiſed to retire to the towns and garriſons as ſoon as the parliament ſhould ſettle the neceſſary funds for their regular pay. This condeſcenſion or rather ſubmiſſion to the parliament, proceeded from the independents power in both houſes, no reſolution being taken but by their direction, or at leaſt that was contrary to their views. On the other hand, though the presbyterians were not ſorry, there The independents prevail in the parliament. The preſbyterians rely upon the aſſiſtance of Scotland.

[1] Or rather Guaſconi, for that was the name of this Florentine, whom the Engliſh called Gaſcoigne. Rapin.

[2] The other priſoners taken at Colcheſter were, George Goring earl of Norwich, the lord Capel, Henry Haſtings lord Loughborough, Sir William Compton, Sir Ab. Shipman, Sir John Watts, Sir Lodowick Dyer, Sir Henry Appleton, Sir Dennard Strutt, Sir Hugh Oriley, Sir Richard Mauliverer, ten colonels, eight lieutenant-colonels, nine majors, thirty captains, gentlemen ſixty-five, lieutenants ſeventy-two, enſigns and cornets ſixty-nine, ſerjeants a hundred and eighty-three, private ſoldiers three thouſand ſixty-ſeven. They held out ſo long, that all the dogs and cats, and moſt of the horſes were eaten. The women and children being at the lord Goring's door, Aug. 20. crying out for bread, he told them, *They muſt eat their children, if they wanted.* Whereupon the women reviling him, threatned to pull out his eyes. The town was preſerved from plunder, upon paying ten thouſand pounds. Ruſhworth, Tom. VII. p. 1232—1256. Whitelock, p. 324.

1648. there were insurrections in the kingdom capable of keeping the army employed, and obliging them to remove from London, they were in danger however that the king's party would grow too powerful before the Scotch army should enter England. Upon this army it was that they founded their hope of becoming once more masters of the parliament and kingdom. But they perceived, that before the arrival of the assistance expected from Scotland, it was not their interest to second the endeavours of the royalists, whose views were very opposite to theirs, for fear of enabling them to renew the war by their own strength. On the other hand, they would have acted very imprudently, if they had openly declared against the army, whilst it was about London, without having sufficient forces to resist it. The assistance of Scotland only could enable them to hold up their heads. For which reason the votes of both houses were always unanimous to condemn the insurrections in Wales, Kent, Essex, as well as those of the earl of Holland and the duke of Buckingham. This was also the reason, that the independents met with no obstacle in causing the eleven members accused by the army to be declared incapable of serving in parliament, and the lord-mayor, aldermen of London, and the seven peers to be prosecuted with the utmost rigour for being concerned in the tumult of the 26th of July. These were the resolutions of a parliament yet governed and directed by the independents. But when once Cromwell was ingaged in Wales with part of the army, Fairfax employed at the blockade of Colchester, and when the surprisal of Berwick and Carlisle had made it necessary to send some regiments into the North, the face of affairs began to change. The independent members found themselves obliged, in their turn, to dissemble, and consent to things which they would doubtless have opposed, had the army been near to support them.

Policy of the presbyterians.

They get uppermost in the parliament.

A petition from the city. April 27. Rushworth, VII. p. 1073.

The 27th of April, before the army removed from London, upon information, true or false, brought to the parliament [1], that some officers had plotted to disarm and then plunder the city, the common-council presented a petition to the house of commons, desiring, that the chains of the city, which had been lately pulled down, might be set up again: the army removed to a farther distance from London: and

[1] One John Everard made an affidavit before the common-council, that being in bed in an inn at Windsor, he heard some officers talking of disarming the city, and then make them advance a million of money, or plunder them. Whereupon the common-council informed the house of the same in their petition. Rushworth, Tom. VII. p. 1070—1073.

and major-general Skippon appointed to command within the lines of communication, and the weekly bills of mortality. It is evident the common-council had a mind to have it in their power to act when the Scotch army ſhould enter England. For they could not imagine the Scots had other thoughts than to ſupport the preſbyterian-party. The houſe granted two of their requeſts, and took time to conſider of the removal of the army. 1648.

The next day the houſe of commons having taken into conſideration the affair of ſettling the government, voted:

"1. That the government of the kingdom ſhould be ſtill by king, lords, and commons." The commons votes. Id. p. 1074.

"2. That the ground-work for this government ſhould be the propoſitions laſt preſented to the king at Hampton-court.

"3. That any member of the houſe ſhould have leave to ſpeak freely to any votes, ordinances, or declarations concerning the king, &c."

Theſe votes were directly contrary to the deſigns of the independents, who meant to aboliſh regal power, and eſtabliſh a common-wealth. But as their intention was yet a ſecret, or at leaſt they had not declared it, they did not think proper to diſcover it too openly, by oppoſing theſe votes.

Some days after, ſundry of the inhabitants of London preſented a petition to the common-council, praying, that the lord-mayor and ſheriffs of London might be part of the committee for the militia of the city, and that the reſt of the committee might be choſen by the common-council. Petition to the common-council touching the militia. May 2. Ruſhworth, VII. p. 1100.

Upon this, the lord-mayor and common-council preſented a petition to the houſe of commons, ſhowing,

"That the general having by letter informed the houſe of commons of his deſign to remove the two regiments that were at Weſtminſter, they conceived, that there was an expectation, the parliament ſhould be guarded by the forces of the city, which they were ready to do, provided they were put into a capacity to perform the ſame, by ſettling the militia of London, and being authoriſed ſo to do. Petition from the common-council to the parliament. May 9. Id. p. 1107.

"That the lord-mayor and common-council might, by ordinance of parliament, be authoriſed to nominate and preſent to both houſes of parliament a committee for the militia of the ſaid city; whereby commanders and ſoldiers might be the better united and encouraged to perform

"their

1648. "their duties, for the ſafety and preſervation of the parliament and city.

"That the command of the Tower of London might be "put into the hand of ſuch a perſon as ſhould be nominated "and preſented to both houſes of parliament by the lord-"mayor and common-council.

"That the ſoldiers there remaining might be removed."

All this was granted againſt the intereſts of the independents, who, for a few months before, had ordered the contrary, becauſe they knew the Londoners were not for them. Thus the city endeavoured by degrees, under divers pretences, to put themſelves in condition to act, when the ſeaſon was ripe.

Declaration of the commons. Id. p. 1102.

It appears alſo by a declaration of the houſe of commons of the 5th of May, how much the preſbyterians began to be ſuperior in the parliament. This declaration ran: '*That the houſe is reſolved to preſerve and maintain the ſolemn league and covenant, and the treaties between the two kingdoms of England and Scotland: and that they will be ready to join with the kingdom of Scotland in the propoſitions agreed upon by the two kingdoms, and preſented to his majeſty at Hampton-court.*' This was as a toothing to unite themſelves with the Scots, as ſoon as they ſhould enter the kingdom. Probably, the commons believed them to be more ready than they were, and moreover, were yet ignorant, that the aim of thoſe who had promoted the raiſing of an army in Scotland, was rather to ſerve the king, than ſupport the preſbyterian-party in England. But they ſoon perceived, the royaliſts intended not to maintain the parliament's intereſt.

The royaliſts eagerneſs is prejudicial to the king.

If the cavaliers, for ſo the king's party were called, had behaved with a little more policy, and leſs paſſion and heat, they might have done the king ſignal ſervice. But they ſo openly ſhowed, that their deſign was to reſtore the king without terms, that they obliged the preſbyterians to be upon their guard, and even to oppoſe them, inſtead of acting jointly with them, as the cavaliers expected. This paſſion, or, if you pleaſe, extreme zeal for the king's ſervice, was always the diſtinguiſhing character of that party, and often baffled their deſigns. Some of this party, inhabitants of the county of Surrey, could not contain themſelves ſo long as would have been requiſite for the king's intereſt. They aſſembled in great numbers, horſe and foot, and came to Weſtminſter, where they preſented a petition to the lords, and another to the commons, worded in ſuch high and ſtrong

terms,

terms, that they seemed to believe themselves supported by the whole kingdom. They demanded: 1648.

"That the king might be restored to his due honour, and just rights, according to the oaths of allegiance and supremacy: that he might be forthwith established in his throne, according to the splendor of his ancestors: that he might for the present come to Westminster with honour and safety, to treat personally for composing differences: that the free-born subjects of England might be governed by the known laws and statutes in force in the kingdom: that the war beginning might be prevented; and that the ordinances for preventing free-quarter, might be duly executed, and speed made in disbanding all armies, having their arrears due paid them." Petition from Surrey in behalf of the king. May 16. Rushworth, VII. p. 1116.

Nothing could be more unseasonable than this petition in such a juncture, when the business was to foment the division between the presbyterians and independents, whereas the petition tended to unite them against the royalists. The lords answered, "They were now upon the consideration "of the settling of the kingdom, and doubted not to satisfy "all." Whilst the commons were debating on the petition, some of the Surrey-men [1] quarrelled with the parliament's guard, disarmed two or three of the soldiers, and killed one. Whereupon, to hinder them from carrying their violence any farther, more horse and foot were sent for from the Meuse and Whitehall, who slew and wounded several, before they could be dispersed. Ibid. Whitelock, p. 306.

This attempt, and an information brought to the house of commons, that soldiers were privately listing in London, and a plot contriving by the royal party to ruin both parliament and city, presbyterians and independents, caused the parliament and city to enter into a strict union together. It was equally their interest to guard against the royalists, who hated the city no less than the parliament and army, and to take measures to hinder the execution of the cavaliers designs. Thus the impetuous zeal of the cavaliers was extremely injurious to the king; whereas had it been well managed, it might have procured him great advantages. If they could have resolved to conceal their sentiments, and suffer the presbyterians Union between the city and parliament. May 20. Rushworth, VII. p. 1119, 1120. Whitelock.

[1] They were almost drunk, and had been animated, as they came through Westminster-hall, by some of the royalists. The quarrel began, by some of the countrymens asking the guards, Why they stood there to guard a company of rogues? meaning the parliament. Whitelock, p. 306. Sir T. Herbert says, The soldiers first affronted the petitioners, because they required that the army should be disbanded. Mem. p. 51.

1648. presbyterians to believe, that their sole design was to deliver the king out of the hands of the independents, and to act against the army, they would have, doubtless, considerably strengthned their party; and the presbyterians, instead of hurting, would have assisted them. This was, probably, duke Hamilton's project, and theirs, who laboured to procure him the command of the Scotch army. But the rash and impetuous zeal of some particular persons, to whom it was not thought proper to impart the secret, caused the presbyterians to be as much upon their guard against the cavaliers, as against the independents. So in all the insurrections in several parts of the kingdom, whilst the Scotch army was expected, the presbyterians were wholly unconcerned, except in Kent, where some general officers and reformados were willing to ingage. But after that disappointment, they lay still, in expectation of the Scots, on whose assistance they relied very much, though, as I before observed, without any foundation.

The presbyterians mistrust the royal party.

They determine to conclude a peace with the king, on three previous conditions.

Mean while, the presbyterians were greatly embarassed. The Scotch army was not yet come, and they were in no less danger from the king's successes, than from the army's. They could therefore join with neither of the parties, without labouring their own ruin. The designs of all three were so opposite, that whichsoever should prevail, the other two would be infallibly ruined. The presbyterians therefore resolved at length to take advantage of the army's absence, of the number of their voices in the parliament, and of the assistance of the city, to conclude a peace with the king. But in order to this peace, it was necessary, the king should consent to three conditions, without which they could not resolve to be reconciled to him. The first was, '*That the militia of the kingdom should, for such a number of years, be put into the hands of both houses.*' This point having been the immediate cause, or at least the pretence of the war, they could not depart from it, without evidently showing, the war had been undertaken without an absolute necessity, which would have rendered them odious to the whole kingdom. For to what purpose had so much blood been spilt, and so much treasure consumed, if a peace could be made without that security? Besides, in neglecting this article, they would, as I may say, have put themselves in the king's mercy, whom they had mortally offended. The second condition was, '*That the presbyterian-government should be established by authority of king and parliament.*' This condition was no less necessary. It was one of the strongest motives

ves of their undertaking and continuing the war, wherein 1648.
they had been crowned with ſucceſs, the advantages of which they were not diſpoſed to relinquiſh. What would they have gained by the war, if by a peace they were to be liable again to the juriſdiction of the biſhops and epiſcopal clergy, their mortal enemies? The third condition was, 'That the king ſhould call in all his proclamations and declarations againſt the two houſes.' The neceſſity of this condition is evident, for the king having declared the members of both houſes rebels, they could not treat with him as ſuch, without renouncing all their rights and pretenſions.

The reſolution of treating with the king being taken by the leading presbyterians, the queſtion was, to put it in execution. General Fairfax departing from Windſor the 22d of May, to march into the North, though within few days he was forced to take the Kentiſh rout, the next day the common-council of London preſented a petition to both houſes of parliament, wherein they ſaid:

The London addreſs to the parliament. Ruſhworth, VII. p. 1125. Whitelock.

"That they thankfully acknowledged the favour of the "houſe, in granting their deſires concerning the Tower, "and militia of London; and in communicating to them "ſeveral votes of both houſes of parliament, wherein it was "reſolved, not to alter the fundamental government of the "kingdom, by king, lords, and commons; to preſerve in- "violably the ſolemn league and covenant, and the treaties "between the kingdom of England and Scotland; and to "be ready to join with the kingdom of Scotland, in the "propoſitions agreed upon by both kingdoms. They fur- "ther deſired, that the aldermen, the recorder, and the "reſt of their fellow-citizens, then in the Tower, might "be diſcharged and reſtored; and that in proſecution of "their ſaid votes, they would be pleaſed to improve all "good opportunities in perfecting the ſpeedy ſettlement of "the peace of both kingdoms."

Remark on the change in the parliament.

This petition was the firſt ſtep taken by the city of London, to give the parliament occaſion to endeavour a peace. The members, as I ſaid, were for the moſt part presbyterians, and yet the independents prevailed, becauſe they were ſupported by the army. So, from the 6th of Auguſt 1647, to the end of May 1648, the parliament muſt be conſidered as independent, becauſe the votes were directed by that party. But after the army's removal from London, the presbyterians had exerted themſelves, and no longer fearing the army, paſſed ſuch votes as were moſt agreeable to their intereſt. From that time, therefore, the parliament is not

1648. to be considered as independent, but rather as presbyterian. This remark is absolutely necessary for understanding the reason of the difference between the proceedings of this parliament of which we are going to speak, and those from the 6th of August the last year.

The desires of the city are granted. May 23. Rushworth, VII. p. 1118, 1125, 1126. Whitelock.

The petition above-mentioned being read in both houses, they ordered the recorder, and all the other prisoners to be released, except the three aldermen, who had been impeached in form, but who nevertheless were also discharged after some days. They farther ordered, that the soldiers posted in the Tower to reinforce the garrison, should return to their regiments.

Votes to treat with the king. Whitelock. Rushworth, VII. p. 1127.

On the morrow, the commons voted, notwithstanding the opposition of the independent members, That, after his majesty's assent to the three bills, which should be offered to him, a treaty should be had with him upon the rest of the propositions presented to him at Hampton-court. These three bills were for settling the militia, the presbyterian-government, and recalling all his declarations against the two houses. These bills were ready the 30th of May, and sent to the lords for their concurrence. The same day, the general having drawn out the troops that were in the Tower, at Whitehall, and the Meuse, to employ them in his expedition against the Kentish-men, the house empowered the militia of London, to send guards to the parliament, from time to time as occasion should require.

The militia of London guard the parliament. Id. p. 1132.

Proceedings of the parliament to unite with Scotland.

The presbyterians were very much at ease, since they were no longer checked by the army. But they still wanted one thing, of which they resolved to take care. Whilst the two houses were governed by the independents, the Scots thought to have cause to complain, and on that pretence they were levying an army to march into England. For this reason, the parliament, now become presbyterian, believed it necessary to remove all occasion of complaint, by giving them satisfaction, and to show, they meant to proceed in a different manner from what they had done, whilst checked by the independents. They now declared, they intended to maintain the covenant, and the treaties between the two kingdoms; and to convince the Scots, the house of commons voted, that the three bills to be presented to his majesty, should be communicated to the parliament of Scotland for their approbation. It is easy to perceive, that the aim of the two houses was to secure the assistance of Scotland, and indeed it seems to have been Scotland's interest to unite with the parliament of England, since it was become

June 2. Id. p. 1132, 1136.

presbyterian.

presbyterians. But, as I observed, those by whom the parliament of Scotland was then managed, sought not so much the good of the kingdom, as the king's advantage; but of this the parliament of England was yet ignorant, or perhaps would hardly believe it. There was moreover in the forementioned resolution, one great inconvenience, namely, loss of time. It was the presbyterians interest to hasten the treaty with the king, whilst the event of what was preparing, was yet doubtful. But on the contrary, delay was advantageous to the independents, who, as will hereafter appear, failed not to use that method to break their enemies measures. 1648.

The next day, the commons ordered, that the eleven members of their house, and the seven peers accused by the army, should be fully discharged, and Glyn [1] member for Westminster, who had been expelled, was received into the house. The accused members are discharged. June 3. Rushworth, VII. p. [1130.]

As the two houses perceived, that the several insurrections in the kingdom were wholly in favour of the king, they prohibited, on pain of death, to take up arms without their authority. They imagined to have no farther occasion for such friends to defend them against the independents. Mean while, as they had no army to protect their adherents against the attempts of the cavaliers, it was moved to raise forces, and oblige the officers to take the covenant. But after some debates, this last point was ordered to be laid aside for the present. It was also proposed to remove the king to Windsor. But nothing was determined. Probably, the house knew not how to compel Hammond, in case he refused to deliver the king. Resolution to raise forces. June 14. Whitelock. Rushworth, VII. p. 1158. p. 1154. p. 1162.

Though the vote to present the three bills to the king passed the 2d of June, it was the 26th before the two houses appointed a committee to debate upon the manner and place of treaty with the king, and their report was made the 30th. In the mean time, the lord-mayor, aldermen, and common-council of London, presented a petition to the two houses, desiring, p. 1164. p. 1170.

"That a personal treaty might be obtained betwixt his "majesty and both houses, in the city of London, or some "other convenient place. Petition from London for a personal treaty with the king. June 27. Rushworth, VII. p. 1167.

"That the Scots might be invited to the treaty. That, "so according to the duty of their allegiance, protestation, "solemn league and covenant, his majesty's royal person, "honour, and estate, might be preserved, the power and "privilege

[1] Recorder of London. He was discharged the 23d of May, upon the petition presented that day by the common-council.

1648. "privilege of parliament maintained, the just rights and "liberties of the subjects restored, religion, and govern- "ment of the church in purity established, all differences "might be the better composed, and a firm and lasting "peace concluded, &c."

p. 1168. Whitelock. Clarendon, III. p. 139.

To this it was answered by both houses, that they were now employed in considerations of peace, and doubted not but what they had done, and should do therein, would be satisfactory to the city of London, and all others, that desired to see the troubles of the kingdom ended in a safe and just peace.

The report of the committee appointed to consider of a personal treaty with the king, was:

Report of the committee in favour of the king. Rushworth, VII. p. 1170.

"1. That the vote of the 3d of January 1647, forbid- "ding any addresses to be made to, or received from his "majesty, should be made null.

"2. That the three propositions sent into the kingdom "of Scotland, and to be presented to his majesty before a "personal treaty be had, should not be insisted upon.

"3. That his majesty be removed to some of his houses "within ten miles of London."

The lords desire the commons not to insist upon the three bills. Ibid.

The same day, the lords acquainted the commons, that they approved of the propositions reported by the committee, and desired their concurrence. But the commons were not so expeditious as the lords. They could not resolve to begin a negotiation with the king, without being first secure of the three conditions which were to be the foundation of the peace. I have already mentioned the reasons. Mean while, both houses continuing in their respective opinions, it was almost a month before the dispute was ended.

The commons refuse it.

The lords reasons. July 10. Rushworth, VII. p. 1183.

The lords urged, at a conference, that the three bills should not be insisted on. 1. That there may be no delay in the thing, a speedy personal treaty being so much desired and petitioned for. 2. Because it is the desire of the parliament of Scotland. 3. The agreement upon the treaty will be the more authentick. 4. It is probable, the king, having no army in being, will condescend to that which at Uxbridge and Oxford he refused. 5. It is not the way of treaty to confirm any particular, before all is agreed, especially those of most concernment, and which will be chiefly insisted upon.

The commons reasons. July 25. p. 1203.

The commons answered, "That the disaffected party in "or near London is so great, that if the king grants not "the militia before he comes, there will be no safety for "the parliament, nor is the treaty like to proceed; for

"many

"many will endeavour to bring in the king without any agreement, and even with deſtruction to the parliament. 2. If the preſbyterian-government be not decreed, all things will grow into confuſion in the churches, and the preſent miniſters be great ſufferers. 3. If the declarations be not recalled, the parliament is not in capacity to treat, having been declared rebels and traitors, and no parliament, but a pretended one, which was never done by any of the kings of England. And whereas it may be objected, that theſe things need debate; it is anſwered, the king is not ignorant of the full demand of theſe particulars, they having been over and over preſented to him; and to the two firſt he hath declared a willingneſs; nor yet is he obliged to paſs them as bills, unleſs all other things are agreed upon; and if no agreement, (he being at liberty) a new war is like to enſue." 1648.

To theſe reaſons the lords replied, "That they could not imagine, nor was it probable, that the party about London who had petitioned for a treaty, would put it on to the diſadvantage of the parliament. 2. They did not apprehend any prejudice to the parliament's party during the treaty. 3. His majeſty had declared, he would conſent to all together; and not to any before all was agreed. And that in caſe there were no agreement, they were in ſtate as before." The lords reply. Ibid.

The commons being by no means ſatisfied with theſe reaſons anſwered [1], "There was no doubt but thoſe in the parts about London, would put forward the treaty, to the diſadvantage of the parliament and kingdom; being ſuch who had not only petitioned the re-eſtabliſhment of the king without conditions, but had taken up arms, and were now in arms for no leſs (as they ſay at Colcheſter) than to cudgel the parliament into a treaty. 2. For his majeſty's ſaying, he would not paſs any before all were agreed; it ſeems not; for he pretends to be willing to paſs theſe only upon conditions, or in any way, as that *de facto*, he will; and *de jure*, the power ſhall be declared in him; which were, for the parliament to part with that, which will be their irreparable loſs and deſtruction. And beſides, as to ſecurity, what appears, unleſs the grant of theſe propoſitions? For it is ſuppoſed the treaty will be in or near London. And what is ſaid, how his majeſty ſhall be? Who ſhall be with him? How" The commons anſwer. Ibid.

[1] By a member, for this was a free conference. Ruſhworth, Tom. VII. p. 2102.

1648. "the diſaffected ſhall be ordered? Moreover if this be not, "why may not things ſettled by law be revived? Epiſcopacy again ſet on foot? All the miniſters turned out for "ſcandal re-enter? Others of honeſt life put to ſeek their "livings? How then, in caſe no accord be made, can it "be thought that the parliament will be in ſtate as before?"

The time paſſes in vain, and the independents contribute to it. p. 1206.

This diſpute held till the 28th of July, the independent members heartily joining with the preſbyterians in whatever could retard or obſtruct the treaty. But it was not upon this point only that they endeavoured to ſpend the time to no purpoſe.

Another delay upon the means of treating at London. Id. p. 1186. Clarendon, III. p. 139.

Whilſt the conteſt between the two houſes ſtill laſted, the city of London having preſented a petition, declaring, they did concur with the deſire of a perſonal treaty contained in another petition of the military officers, it was ordered that a committee of parliament, and another of the common-council ſhould meet together and examine the affair. In the frequent conferences between theſe committees, the independents uſed ſeveral artifices to prolong matters. The preſbyterians concurred with them in the ſame deſign, for, as I ſaid, they were againſt treating with the king before he had conſented to the three bills. The committee of parliament put ſeveral queſtions to the committee of the common-council, which theſe were not prepared to anſwer; and as they had no inſtructions about them, they were forced to deſire time to conſult thoſe by whom they were appointed. By that means the conferences were multiplied without any thing done, for no ſooner was one demand anſwered, but another was made, and ſo the time paſſed in vain.

The common-council attempt to force the parliament to treat. Rushworth, VII. p. 1187.

At laſt, the common-council perceiving, theſe queſtions were deſigned only to amuſe them, ordered it to be declared to the committee of parliament, that it was the deſire of the city, that a treaty ſhould be entered into with all expedition. They ordered likewiſe, that the engagement laſt year, to guard the king and parliament againſt all force, which had brought the army to London, ſhould, be ſubſcribed by all the inhabitants, either by calling them together, or by carrying it from houſe to houſe to be ſigned. p. 1196. They were not contented with this; for they ſo managed, that the watermen and others preſented alſo petitions, that the perſonal treaty might be haſtened. In ſhort, they plainly ſhowed what they could not obtain by fair means, they would have by force. Whereupon major-general Skippon was privately ordered by the commons, to liſt ſoldiers in the

The commons order Skippon to raiſe forces.

city, and be ready to guard the parliament in case of any violence. The common-council complained of these levies which were making in the city, without the privity of the committee of militia. But the house approved of them, under colour the city was in danger from the cavaliers. Nay, they imparted to the common-council, certain intercepted letters, in one of which was inclosed a declaration from the prince of Wales. Another was writ from London to one at Edinburgh, intimating that the king's party was very powerful in London: that there was no danger from any but Skippon, who was raising troops; but however they were nothing in comparison of those who were secretly listed for the king. That it should be so ordered, that Skippon should soon be deprived of his post, and expelled the city. 1648.

The city complains of it. The house tries to appease them. Rushworth, VII. p. 1208. —1210. Whitelock, p. 316, 324.

It is certain, in the present situation of affairs, the royalists conceived great hopes. Nay, many cavaliers scrupled not to pass for presbyterians, and mixed with them, to strengthen the party of those who intended to force the parliament to a peace. Hence arose the contest between the commons and the city of London. Among the presbyterians many were apprehensive, that by a too long delay, the opportunity of treating advantageously with the king would be lost. They flattered themselves, that in such a juncture, the king would refuse nothing of what should be desired, and they did not see the necessity of losing time in requiring things beforehand, which in their opinion could not but be granted in a treaty. This opinion, entertained by the lords and common-council of London, was solely founded in a false imagination, that the king could not but think himself lost, if the Scotch army should once enter England, and consequently would grant every thing, in so desperate a case; wherein they were much mistaken, as we have seen. But the commons still insisted upon the three bills, as absolutely necessary for the security of the kingdom. Whilst the presbyterians thus differed among themselves, the time passed away without any effectual endeavours for a peace. The blockade of Colchester was just at an end; Cromwell was upon the point of finishing the siege of Pembroke Castle, and going to join Lambert; and Fairfax, after the taking of Colchester, was about to come once more and awe the parliament. Besides, the king's party was daily increasing in the north, where Langdale, whose forces were now above four thousand, was preparing to join duke Hamilton.

Several royalists mix with the presbyterians.

The

1648. The affairs of England were then in a terrible confuſion. The wiſeſt and moſt experienced could not form any probable conjecture on what was to happen, each of the parties having almoſt equal reaſon both to hope and to fear.

The uncertain ſtate of affairs.

July. Intereſts of the independents.

Indeed, the independents were no longer maſters in the parliament, but were however ſufficiently numerous to obſtruct, by ſundry artifices, or at leaſt to retard the peace, or prolong the negotiation. Moreover they were ſupported by three armies, which, though remote from London, inſpired their enemies with terror. Nevertheleſs they ſaw, it was intended to take advantage of the abſence of theſe armies to conclude a peace with the king, which could not but ruin them, if made before their forces were rejoined. They knew themſelves to be equally hated by the Scots, the preſbyterians, and the royaliſts. They were therefore in danger that theſe three parties would unite againſt them, as indeed it was projected, and then the independents would have been too weak to reſiſt ſo many enemies at once. It was therefore their intereſt to hinder that union as much as poſſible, till the events of the war which was going to rekindle, ſhould unravel the affairs of the kingdom. They confided much in Cromwell's valour and capacity, and impatiently expected, that the end of the ſiege he had undertaken, would enable him to join Lambert in the north, and oppoſe the Scots, who were ready to enter England.

Error of the preſbyterians.

The preſbyterians had no army at all. Their whole reliance was on the city of London: but, there leaders were extremely troubled to ſee the magiſtrates purſuing wrong methods, whether by the artifices of the cavaliers, or by a too earneſt deſire of peace. They hoped however, the king, in his preſent circumſtances, would immediately grant their demands, in order to free himſelf out of the hands of the independents, and unite the whole kingdom againſt them. But they built upon no ſolid foundation. Had there been a treaty at the time I am ſpeaking of, the king, who knew the Scotch army was not deſigned againſt him, would have granted at moſt but what he was obliged to by his treaty with the Scotch commiſſioners, which would not have been ſufficient to content the preſbyterians, as the ſequel will ſhow.

Refuge of the king's party.

As for the royaliſts, the leading men being informed of duke Hamilton's intentions, they muſt have entertained great hopes. They flattered themſelves, that the Scots and preſbyterians would equally aſſiſt in delivering the king from captivity, and that when he ſhould be free, and the independent

pendent party ſubdued, he would be able to withſtand the preſbyterians and renew the war, in caſe unreaſonable terms were inſiſted upon. They ſaw however with great concern their deſigns ruined in Kent, in Eſſex, and by the ill ſucceſs of the earl of Holland's and duke of Buckingham's attempt. Certainly they were in an ill ſituation, between the preſbyterians and the independents, what hopes ſoever they had entertained of deceiving the preſbyterians, and ingaging them to ſerve the king, under colour of acting againſt the independents. Their whole refuge therefore lay in the progreſs to be made by duke Hamilton and Langdale, and in the expectation of inducing the city to force the parliament to conclude a haſty peace to the king's advantage. 1648.

Duke Hamilton's behaviour when he entered England.

At laſt the ſo long expected army of Scotland entered England, as hath been ſaid, about the beginning of July. When the raiſing it was reſolved, it was deſigned againſt the parliament of England, then under the direction of the army and independents. But when the Scots came into England, the face of affairs was changed and the parliament not only become preſbyterian, but had taken ſeveral ſteps to ſhow, they intended to preſerve an union and good correſpondence between the two kingdoms. Mean while, though the committee of the parliament of Scotland was not ignorant of what paſſed in England, they had not given new inſtructions to duke Hamilton, or expreſſed any deſire to join with the parliament, now freed from the dominion of the army. Thus duke Hamilton entered England as enemy to the parliament, ſince there was no alteration in his orders. He pretended, indeed, a deſign to maintain the covenant. But the parliament had alſo declared, they had the ſame intention. What then could hinder the duke from making ſome advances to the parliament, to demonſtrate, he was ſent into England to promote that deſign? At leaſt, when he entered a foreign kingdom with an army, he ſhould, one would think, have publiſhed a manifeſto to declare the intentions of his maſters. But he only writ to major-general Lambert, "That the committee of the eſtates of parliament had commanded him to enter England with an army, for maintaining the covenant, ſettling religion, delivering the king from his baſe impriſonment, freeing the parliament from the conſtraints put upon them, diſbanding the armies, whereby the ſubjects might be free from the intolerable taxes and quarter which they had ſo long groaned under, and for procuring a ſolemn peace and firm union betwixt the kingdoms under his majeſty's government."

He writes to Lambert. Ruſhworth, VII. p. 1194. Whitelock, p. 321.

1648. "vernment." But if what paſſed before be conſidered, it will be eaſy to perceive, this army was deſigned to reſtore the king without conditions, or at leaſt upon terms very different from thoſe that were pretended to be laid on him. Though I have touched upon this ſubject in ſeveral places, I believe it will not be amiſs briefly to ſum up the reaſons, which invincibly prove that the Scotch army was ſolely intended for the king's ſervice.

Proofs of the Scotch army being ſolely deſigned for the king's ſervice.

1. The Scotch commiſſioners had treated with the king without being authorized by their parliament. They had treated for the affairs of England without receiving any power from the Engliſh.

2. They had engaged to endeavour to reſtore the king to the throne of England, without any other condition than the confirmation of the preſbyterian-government for only three years. As for the covenant, they had indeed obliged the king to promiſe, he would confirm it, for the ſecurity of thoſe who had taken it; that is, that they might not be proſecuted on that account: but with full liberty to every one not to ſubſcribe it. They had engaged to maintain the rights of the king and crown with reſpect to the militia, the great-ſeal, nomination to offices, choice of privy-counſellors, negative voice in the parliament. Moreover, they had concealed the contents of the treaty from the leading preſbyterians, and at the ſame time communicated them to the king's principal friends.

3. Theſe ſame commiſſioners had engaged Sir Marmaduke Langdale and Sir Philip Muſgrave to raiſe forces for the king and ſeize Berwick and Carliſle.

Clarendon, III. p. 98.

4. Theſe two gentlemen had repaired to Edinburgh, where they had often conferred with duke Hamilton and others of the king's party, and when the commiſſioners of England complained of their being ſuffered at Edinburgh, they were only concealed, and the conferences with them continued.

5. Duke Hamilton, before his departure from London, had declared, he would do the king ſignal ſervice, and this duke was placed at the head of the army.

6. The ſame duke had entered into an engagement with Langdale, that as ſoon as the Scotch army was in England, there ſhould be no more mention of the covenant, and all the king's friends ſhould be received into the army without diſtinction. It is true, he was afterwards reſtrained by a decree of the parliament of Scotland. But he found means to evade it, by cauſing Langdale to march one day before him,

him, as if Langdale had not acted by his orders. But the contrary plainly appeared, when he was defeated by Cromwell. 1648.

7. The parliament of Scotland was called by the credit of duke Hamilton and the commissioners who had treated with the king, and the members were elected by the cabals of the same party.

8. When the levying an army came to be debated in the parliament, it was strongly opposed, as well by several lords, as by the general assembly of the kirk. It was solidly proved, that at least the grounds of the war ought to be declared before it was resolved. Protestations were also made against it; but they were evaded, of which there can be no other reason given, but that the army was designed for the king's service, though it was not thought proper to declare it.

9. Finally, when the duke had entered England, he took not the least step to intimate he was come to support the presbyterian party. Instead of marching directly to London, whilst Cromwell was at a distance, though he might be sure the parliament and city were very desirous to join him, he spent above a month in the northern counties without any necessity. This conduct therefore shows, his design was not to assist the presbyterians, though he intended to act against the independents.

What has been said clearly proves, the Scotch army came into England with design to restore the king without terms, under colour of delivering him from the independents. It is no wonder, that the parliament, where the king had few friends, should declare this army enemies of the kingdom, as soon as their entrance was known. Nevertheless, as the presbyterians were yet persuaded, the Scots were come to support them, it was with great struggle that this declaration passed the house of commons. Ninety presbyterian members opposed it to the utmost of their power, so far were they from imagining, the Scots had taken up arms for the king's interest. But it was not long before they were undeceived. July 14. Rushworth, VII. p. 1190, 1198.

The 28th of July the commons agreed at last, that the king should be treated with upon the Hampton-Court propositions, without being obliged to sign the three bills before-mentioned. In all likelihood the presbyterians were at length sensible, that by deferring the treaty, they were labouring for the independents, who sought only to waste the time, till Cromwell, who was in the midst of his march, should have joined Lambert. But it was not possible to advance The independents retard the treaty by sundry artifices. Id. p. 1206. Whitelock. Ludlow. T. I. p. 262, &c.

1648. vance so far as would have been necessary to finish or even begin the treaty, before the revolution caused by duke Hamilton's defeat. The formalities which must be observe in a parliament, several unexpected affairs, the arrival of the prince of Wales before Yarmouth, and afterwards in the Thames, afforded the independent managers frequent occasions to prolong the treaty. On all these occasions, they affected to make tedious speeches, which wasted many days sitting. When they saw it was not in their power to set aside the treaty, or oblige the house to insist upon the three bills, they feigned to consent freely to the negotiation: but withal, perpetually found means to delay it. In a word, to know what were the fruits of these artifices, it need only be considered, that the commons first resolution to treat with the king was on the 24th of May; but they did not desist from the three bills till the 28th of July; that it was the 18th of September before the negotiation began, and consequently the affair held four months, without reckoning the time spent in the treaty. So, before the conferences began, Cromwell had defeated duke Hamilton, and was marching into Scotland to hinder the Scots from returning to disturb England. On the other hand, general Fairfax having taken Colchester, was posted with his army within twenty miles of London to awe the parliament. It is therefore certain, when the negotiation begun, affairs were far from being in the same state as when the treaty was resolved. The good success of the army made the presbyterians more timorous, and the independents more bold. But on the other side, the king, losing all hopes of assistance both from the Scots and the royalists, found himself indispensably obliged to yield in a treaty what he would never have granted, if the face of his affairs had not been changed. These are considerations which I thought requisite, before I proceeded to what passed the five last months of the year 1648.

Rushworth, VII. p. 1127, 1206, 1266.

The king's demands. Id. P. 1225, &c. 1212, 1214, 1216, 1224.

Since the commons had consented to treat with the king, without obliging him to sign the three bills, five days more had passed before the manner, place, and time of the treaty could be settled [1]. The king required that all persons might have access to him as when at Hampton-Court: that the Scots should be invited to assist at the treaty, and appointed the town of Newport in the isle of Wight for the place of conference. The commissioners who had been sent to him, having

Aug. 14. p. 1225. Whitelock. Heath.

[1] Both houses agreed, August 2, to treat with the king in the Isle of Wight; and the earl of Middlesex, Sir John Hippesley, and Mr. Bulkley, were sent, August 4, to his majesty, with the votes of the two houses. See Rushworth, Tom. VII. p. 1214, 1216.

having reported his desires to the houses, the lords, who were willing to dispatch the affair, two days after passed the following votes: 1648.

" 1. That the votes of both houses of parliament, against no further addresses and application to his majesty, be recalled. The votes of the lords thereupon. Aug. 16. Rushworth, VII. p. 1229. Whitelock.

" 2. That such persons as his majesty shall send for, as of necessary use to him in the treaty, be admitted to wait on him: and that his majesty be in the same estate of freedom, as he was last in at Hampton-court.

" 3. That such servants as his majesty shall appoint, be sent to wait on him.

" 4. That the place for the treaty be in Newport, in the Isle of Wight.

" 5. That the Scots be invited to treat with his majesty.

" 6. That his majesty be admitted to invite them.

" 7. That the instructions given from both houses of parliament, to colonel Hammond governor of the Isle of Wight, be recalled.

" 8. That five lords and ten commoners be chosen commissioners, to treat with the king.

" 9. That it be referred to the committee of lords and commons for peace, to prepare all things in readiness for the speeding of the treaty."

These votes being sent to the commons, they did not think proper to pass them without some amendments.

" The first was admitted.

" As to the second, the commons ordered, That his majesty should be desired to send to the houses the names of such persons as he should conceive to be of necessary use about him during the treaty; they not being persons excepted against by both houses of parliament from pardon, or that were then under restraint, or in actual wars against the parliament by sea or land; or in such numbers, as might draw any just cause of suspicion; and that his majesty should be in the same freedom, honour, and safety, as he was in when he was at Hampton-court. The commons restrictions. Aug. 17. Rushworth, VII. p. 1230.

" Upon the third, they concurred in the vote for his majesty's attendants, provided they were such as were not in any of the former qualifications.

" The fourth was approved of.

" As to the fifth and sixth, the question, Whether the Scots should be invited by the parliament, to send commissioners to treat with his majesty upon the propositions presented to him at Hampton-court, it was carried in the

" negative.

1648. " negative. But it was ordered however, That if the king
" ſhould think fit to ſend for any of the Scotiſh nation, to
p. 1231, 1232. " adviſe with him concerning the affairs of the kingdom of
" Scotland only, the houſes would give him a ſafe-conduct.

Aug. 21. p. 1233. " Concerning the ſeventh, it was reſolved, That before
" the recalling of colonel Hammond's inſtructions, they
" ſhould ſend again to his majeſty, to let him know, how
" far they had proceeded, as to a treaty, and to have his
" majeſty's approbation.

" The eighth and ninth were admitted without any diffi-
" culty."

Inſtructions to colonel Hammond. Aug. 22. Ruſhworth, VII. p. 1236. Whitelock.

The next day the commons ordered new inſtructions to colonel Hammond, viz.

" That the king be removed to Newport, and be in the
" ſame condition and freedom there, as he was at Hamp-
" ton-court.

" That no perſon in the firſt exception out of mercy,
" nor under reſtraints of the parliament, nor of late actu-
" ally in arms againſt the parliament, be admitted to the
" king.

" That no perſon that hath been in arms againſt the
" parliament, &c. or of whom there is juſt cauſe of ſuſpi-
" cion, be admitted into any fort or tower in the Iſle of
" Wight.

" That no perſon of any foreign nation be admitted to
" come into the ſame iſle, without leave of the parliament.

" If the kingdom of Scotland ſend any to treat with his
" majeſty, they ſhall have a paſs from both houſes, and be
" admitted."

" That his majeſty paſs his royal word, not to go out of
" the iſland during the treaty, nor twenty-eight days after,
" without the advice of both houſes of parliament."

The defeat of the Scots puts no ſtop to the treaty. Auguſt 23. Ruſhworth, VII. p. 1237. Clarendon, III. p. 141.

The next day, advice was brought of duke Hamilton's defeat. The independents thence hoped, they ſhould hinder the concluſion of the treaty [1], and the preſbyterians, that the king would grant every thing, ſince he had loſt the aſſiſtance he depended upon, and was without any reſource. Thus, this event, though of the greateſt importance, cauſed no alteration in the diſpoſition of the parties to treat. A few days after they received alſo news of the taking of Colcheſter.

The

[1] Cromwell writ to his friends, That it would be a perpetual ignominy to the parliament, if they ſhould recede from their former votes of, *No further addreſſes* to the king; and conjured them to continue firm in that reſolution. Clarendon, Tom. 3. p. 141.

The king having ſent a liſt of the perſons he deſired to have about him, the parliament excepted againſt three, namely, Aſhburnham, Legg, and Dowcet, who were then in cuſtody. 1648.

Sundry delays. Aug. 29, 31. Ruſhworth, VII. p. 1241, 1242, 1248, 1249. p. 1261, 1266.

It was not only upon this point, but ſeveral others, where difficulties occurred, that they were forced to ſend expreſſes to the king. It ſuffices to ſay, that the parliament's commiſſioners departed not from London for Newport, till the 13th of September, and the conferences began not till the 18th. It was agreed, they ſhould continue forty days only.

Whilſt preparations were making for the treaty, the prince of Wales, who lay in the Downs with his fleet, ſent a letter to the houſe of peers, wherein he took notice of the progreſs made as to a perſonal treaty, and farther expreſſed his deſire,

Letter from the prince of Wales to the lords. Whitelock. Ruſhworth, VII. p. 1220,

" 1. That the treaty ſhould be in ſuch place and manner, as might conſiſt with the honour, freedom, and ſafety of his majeſty his father; ſo that the agreement might not be blemiſhed with any face of reſtraint: 2. That the treaty might be between the king, and his two kingdoms of England and Scotland. 3. That during the treaty, there ſhould be a general ceſſation of arms: 4. That a moderate ſubſiſtence, during the treaty, might be agreed upon, for all armies and forces then on foot, and particularly the Scots army in England. 5. That a courſe might be taken to content him, and his ſhips in the Downs, with money and proviſion."

It does not appear, the lords took any notice of this letter, and the rather, as the prince made no mention, that it ſhould be communicated to the commons.

The ſame day the lords received the letter, a petition was preſented to both houſes from the common-council of London, deſiring,

Petition from the common-council. Ibid.

" 1. That the king's majeſty might be free from reſtraint.

" 2. Invited to a treaty.

" 3. That all acts of hoſtility by ſea and land, might, by command of king and parliament, ceaſe.

" 4. That the government of the church might be ſettled according to the covenant.

" 5. That diſtreſſed Ireland might be relieved.

" 6. The people of England, by diſbanding all armies, eaſed; the liberty of the ſubjects reſtored; the laws of the land eſtabliſhed.

" 7. The members of both houſes enjoined to attend the houſe for the ſervice of the kingdom.

1648. " 8. That the ſelf-denying ordinance might be effectually " obſerved. And

" 9. Speedy conſideration had of the condition of ſuch " merchants, whoſe ſhips and goods were ſtayed by thoſe " with the prince; and that ſome expedient might be thought " of, for diſcharge of all ſhips, that trade be not deſtroyed."

Another from the reduced officers. Ibid.

The reformado-officers preſented the ſame day a petition of the like import; praying moreover, that all officers and ſoldiers (without exception) might be paid their arrears.

Anſwer to the city. p. 1222.

The commons returned in anſwer to the common-council of London, that it was their intention to [illegible] with the king, that they had acquainted his majeſty w[illegible] that there was no room to queſtion but that the king [illegible] in the ſame diſpoſition. Then they communicated to the council the votes that were paſſed in the houſe on that occaſion.

The independents begin to ſtir.

All this paſſed before the defeat of the Scotch army. But after the news of that great event, and the taking of Colcheſter, the independents in and about London, who had been quiet ſince the removal of the army and before any deciſion, began to hold up their heads. The 11th of September, two days before the departure of the commiſſioners for the Iſle of Wight, they preſented a petition to the parliament, ſubſcribed by ſeveral thouſands, openly complaining of the commons proceedings, which, they ſaid, flowed from the corruption of moſt of the members. They alſo gave them the reaſons, why they firſt aſſiſted them in this war with their perſons and purſes, and let them know, they expected other ways from them than a treaty with the king, and particularly,

They preſent a petition. Sept. 11. Ruſhworth, VII. p. 1257. Whitelocke, 335. Ludlow.

" 1. That they would make good the ſupremacy of the " people from all pretences of negative voices either in the " king or lords.

" 2. That they would have made laws for election of " repreſentatives yearly, and of courſe, without writ or ſum- " mons.

" 3. That their time of ſitting exceed not forty or fifty " days at the moſt, and to have fixed an expreſſed time for " the ending of this preſent parliament.

" 4. That they would have exempted matters of religion " and God's worſhip from the compulſive or reſtrictive " power of any authority.

" 5. That none be forced or preſſed to ſerve in war.

" 6. That they would have made both kings, queens, " princes, dukes, earls, lords, and all perſons, alike, liable " to every law of the land.

" 7.

" 7. That all commoners be freed from the juriſdiction 1648.
" of the lords in all caſes; and to have taken care, that all
" trials be only of twelve ſworn men; and no conviction
" but upon two or more ſufficient known witneſſes.

" 8. That none be examined againſt themſelves, nor be
" puniſhed for doing of that, againſt which no law hath
" been provided.

" 9. That the proceedings in law be abbreviated, miti-
" gated, and made certain, the charge thereof in all parti-
" culars.

" 10. That all trade and merchandizing be made free from
" all monopolizing and engroſſing, by companies or other-
" wiſe.

" 11. That the exciſe and all kind of taxes, except ſub-
" ſidies, be taken of.

" 12. That you would have laid open all late incloſures
" of fens, and other commons, or have encloſed them only
" or chiefly to the benefit of the poor.

" 13. That they would have conſidered the many thou-
" ſands that are ruined by perpetual impriſonment for debt,
" and provided to their enlargement.

" 14. Have ordered ſome effectual courſe to keep people
" from begging and beggary, in ſo fruitful a nation, as thro'
" God's bleſſing this is.

" 15. That they would have proportioned puniſhments
" more equal to offences, that ſo mens lives and eſtates
" might not be forfeited upon trivial and ſlight occaſions.

" 16. Have removed the tedious burthen of tithes, ſatis-
" fying all impropriators, and providing a more equal way
" of maintenance for our poor miniſters.

" 17. Have raiſed a ſtock of money out of confiſcated
" eſtates, for payment of thoſe who contributed voluntarily
" above their abilities, before thoſe that diſburſed out of
" their ſuperfluities.

" 18. Bound themſelves and all future parliaments from
" aboliſhing propriety, levelling mens eſtates, or making all
" things common.

" 19. That they would have declared, what the duty or
" buſineſs of the kingly office is, and what not; and aſ-
" certained the revenue paſt increaſe or diminution; that ſo
" there might never be more quarrels about the ſame.

" 20. That they would have rectified the election of
" publick officers for the city of London, of every particular
" company therein; reſtoring the commonalty thereof to
" their juſt rights, moſt unjuſtly with-held from them, to

1648. " the producing and maintaining corrupt intereſt, oppoſite
" to common freedom, and exceedingly prejudicial to the
" trade and manufactures of this nation.

" 21. That they would have made full and ample repa-
" rations to all perſons that had been oppreſſed, by ſenten-
" ces in high-commiſſion, ſtar-chamber, and council-board;
" or by any kind of monopolizers or projectors, and that
" out of the eſtates of thoſe that were authors, actors, or
" promoters of ſo intolerable miſchiefs, and that without
" much attendance.

" 22. That they would have aboliſhed all committees,
" and have conveyed all buſineſſes into the true method of
" the uſual trials of the commonwealth.

" 23. That they would not have followed the example
" of former tyrannous and ſuperſtitious parliaments, in mak-
" ing orders, ordinances, or laws, or in appointing puniſh-
" ments concerning opinions, or things ſupernatural, ſtiling
" ſome blaſphemies, others hereſies.

" 24. That they would have declared what the buſineſs
" of the lords is, and aſcertain their condition, not dero-
" gating from the liberties of other men; that ſo there
" might be an end of ſtriving about the ſame.

" 25. That they would have done juſtice upon the capi-
" tal authors and promoters of the former or late wars.

" 26. That they would have provided conſtant pay for
" the army, and given rules to all judges, and all other
" publick officers throughout the land, for their indemnity;
" and for the ſaving harmleſs all that have any ways aſſiſted
" them.

" 27. That they would have laid to heart the abundance
" of innocent blood that hath been ſpilt, and the infinite
" ſpoil and havock that hath been made of peaceable, harm-
" leſs people, by expreſs commiſſion from the king; and
" ſeriouſly to have conſidered, whether the juſtice of God
" be likely to be ſatisfied, or is his yet continuing wrath ap-
" peaſed by an act of oblivion."

Though the petitioners did not call themſelves independents, the principles of that party were but too viſible in theſe articles to doubt from what quarter they came.

Another from maſters of ſhips. Ruſhworth, VII. p. 1258.

The ſame day the maſters and commanders of ſhips preſented the like petition, complaining of the tyranny of the parliament.

The

The parliament thought not proper to anſwer theſe petitions [1], though two days after, the firſt preſented another to deſire an anſwer to every part of their petition. It was no proper juncture to provoke the independents, by ſuch an anſwer as this petition deſerved. 1648. These petitions are not anſwered, p. 1261. Whitelock.

Before I enter upon the particulars of the treaty at Newport, it is abſolutely neceſſary to relate what paſſed in the North of England and in Scotland.

Monroe who was leading from Scotland three or four thouſand men [2] to duke Hamilton, had entered a good way into England, when the Scotch army was vanquiſhed and diſperſed. After the victory, Cromwell, without loſing time in purſuing the reſt of the army which was not in condition to do any miſchief, left Lambert with ſome troops to finiſh their deſtruction, and immediately marched in queſt of Monroe. The Engliſh that were with this Scotch general uſed their utmoſt endeavours to perſuade him to give Cromwell battle: but it was not poſſible to prevail with him. He choſe rather to retire northward, and always kept at ſo great diſtance, that there was no overtaking him. Nevertheleſs Cromwell continued his march, and hearing that Lambert had intirely deſtroyed the Scotch army, ſent him orders to march to Carliſle, where Muſgrave ſtill remained with ſome troops, and after clearing thoſe parts, to come and join him in order to enter Scotland together. When Cromwell came near Berwick, he writ to the committee of eſtates to require them to call home Monroe, and deliver Berwick and Carliſle, otherwiſe they were to expect a war. A few days after he purſued his march towards Scotland, having left ſome regiments to block up Berwick. Cromwell marches againſt Monroe. Ruſhworth, VII. p. 1193, 1250, 1250, 1259, &c. Whitelock. Ruſhworth, VII. p. 1256. Whitelock.

Duke Hamilton's defeat and Cromwell's threats intirely changed the face of affairs in Scotland. The marquis of Argyle, who had not been able to prevent the raiſing of an army, and had been forced to ſubmit to the oppoſite party, became ſuperior again, and was ſupported by all who were againſt the war. The committee of eſtates daily loſt their authority, and were ſeconded only by Monroe, who was at length returned into Scotland. So, the marquis of Argyle being aſſured of the approbation of moſt of the people, levied three or four thouſand men to oppoſe Monroe, whom Alteration in Scotland. Argyle raiſes forces againſt Monroe. Ruſhworth, VII. p. 1260, 1264.

[1] The houſe returned anſwer to the independents petition to this effect: "That the houſe gave them thanks "for their great pains and care of the "publicke good of the kingdom, and "would ſpeedily take their deſires "into conſideration." Ruſhworth, Tom. VII. p. 1258.

[2] He had, in the beginning of September, above ſeven thouſand men, Engliſh, Scots, and Iriſh, under his command. Idem. p. 1250.

1648. the earl of Lanerick had joined, with ſome new-raiſed troops. They had ſecured Sterling-bridge, which hindered the marquis of Argyle from making any progreſs, though his forces had been more numerous. But Cromwell broke all their meaſures by not ſtaying at Berwick, but marching directly to Edinburgh. He thereby forced the committee of eſtates to fly from thence and diſperſe, for fear of being incloſed between the Engliſh and the marquis of Argyle's forces. Then the earl of Lanerick and Monroe, being unable to continue the war, came to an agreement upon the following terms:

P. 1273.

Crymwell marches to Edinburgh, Septem. 33. p. 1282.

The committee of the parliament follows him.

Articles between the earl of Argyle and Monroe. Id. p. 1288.

"1. That both the armies ſhould be diſbanded.

"2. That a parliament ſhould be called to ſit before the "20th of January.

"3. That the ſettling of religion be referred to the determination of the general-aſſembly, and all civil queſtions "to the determination of parliament.

"4. That a new committee of eſtates be appointed, to "conſiſt only of ſuch members as proteſted in parliament "againſt the late engagement: and in caſe any of the forces "under Monroe ſhould continue in arms, that then the ſaid "committee ſhould raiſe forces to ſuppreſs the ſame.

"5. That none who had been acceſſary to the late en"gagement, ſhould be challenged to take away their lives "and eſtates, &c. provided they did declare under their "hand-writing, to the lord-chancellor, or preſident of the "committee of eſtates, that they accepted of, and ſub"mitted to the preſent engagement.

"6. That all perſons taken in war, ſince the ſecond of "Auguſt, be releaſed."

Cromwell is received into Edinburgh; returns into England; leaves Lambert in Scotland.

The face of affairs being thus changed, and the king's party diſperſed, Cromwell repaired to Edinburgh, where he was received with great reſpect. He obtained the reſtitution of Berwick and Carliſle, and having concerted proper meaſures with the marquis of Argyle, returned triumphantly into England. He left Lambert, however, in Scotland, with three or four regiments, at the requeſt of the Scots, who believed they ſhould want them, to awe thoſe who might deſire to raiſe new commotions.

Conferences for peace at Newport, Septem. 18. Id. p. 1283, &c.

Whilſt Cromwell was in queſt of Monroe in Scotland, and three days before general Fairfax came to St. Albans, the conferences for peace began at Newport [1]. Though the

Walker's Collect. Heath.

[1] They were held in Sir William Hodges's houſe. Ruſhworth, Tom. VII. p. 1259. The commiſſioners were five lords, viz. the earls.

the two houſes had deſiſted from the condition, that the king ſhould ſign the three bills before the treaty, they had not relinquiſhed the thing itſelf. The very firſt day, the commiſſioners preſented to the king, the draughts of the three bills. By the firſt, the preſbyterian-government was eſtabliſhed for ever in the church of England, epiſcopacy aboliſhed, with the whole hierarchy, and the ſale of biſhops lands appointed. By the ſecond, the king left the power of the militia for thirty years in the hands of both houſes. By the third, all the king's proclamations and declarations againſt the parliament, or their adherents, were recalled. The laſt of theſe bills began with theſe words, 'Whereas 'the parliament have been neceſſitated to make and proſecute a 'war in their juſt and lawful defence, &c.' The king ſcrupled not to agree to the ſubſtance of the bill, but objected againſt the preamble, which charged him indirectly with having made war upon the parliament, and deſired it might be omitted, to which the commiſſioners would never conſent, becauſe they were, by their inſtructions, not to depart from a tittle of what was contained in the three bills. This diſpute held ſeven days, and it was the 25th of September, before the king conſented at laſt to paſs the bill, with the preamble. But it was on condition, that nothing ſhould be binding, unleſs the whole were agreed on, and the treaty ſigned. This article being thus diſpatched, they proceeded to the reſt, on which were great debates, and particularly concerning religion. As the king ſaw the commiſſioners would not, or could not yield any thing, he hoped to ſhorten the negotiation, by ſhowing the two houſes, how far he could comply with regard to the moſt important articles. He ſent therefore a meſſage to explain his intentions, and make them the following offers.

1648.

The three bills are preſented to the king.

Diſpute about the preamble of one of the three bills. Ruſhworth, VII. p. 1270, 1275. Clarendon, III. p. 163, &c.

The king yields.

Concerning religion. "His majeſty will conſent, that "the calling and ſitting of the aſſembly of divines at Weſt- "minſter be confirmed for three years by act of parliament, "and confirms for three years the directory, and the form "of church-government, to be uſed for the churches of "England and Ireland, and dominion of Wales; provided "that his majeſty, and thoſe of his judgment, or any other, "who cannot in conſcience ſubmit thereunto, be not in the "mean time obliged to comply with the ſame; and that a "free

A meſſage from the king to both houſes, with his offers. Ruſhworth, VII. p. 1281.

of Pembroke, Saliſbury, Middleſex, Northumberland, and the lord Say; and ten commoners, viz. Denzil Holles, lord Wenman, Mr. Pierrepoint, Sir Henry Vane jun. Sir Harbottle Grimſtone, Mr. Br[illegible], [illegible] Law, recorder Glyn, Sir John Pot[illegible], and Mr. Bulſtrode. Whitlock, p. 334.

1648. "free conſultation and debate, be had with the aſſembly of "divines at Weſtminſter in the mean time, twenty of his "majeſty's nomination being added to them, whereby it "may be determined by his majeſty, and his two houſes of "parliament, how the ſaid church-government, and form "of public worſhip, after the ſaid time, and how religion "may be ſettled, and the articles determined, and care ta-"ken for the eaſe of tender conſciences."

Concerning the biſhops lands and revenue. "His ma-"jeſty will conſent to an act or acts of parliament, where-"by legal eſtates for lives, or for years, not exceeding "ninety-nine, ſhall be made for thoſe lands, towards the "ſatisfaction of the purchaſers, and to others to whom they "are engaged, whereby they may receive ſatisfaction; pro-"vided that the propriety and inheritance of thoſe lands, "may ſtill remain to the church, and the reſt that ſhall be "reſerved to be for their maintenance.

"3. His majeſty will give his royal aſſent for the better "obſervation of the lord's-day, for ſuppreſſing of innova-"tions in churches and chapels, in and about the worſhip "of God, and for the better advancing of the preaching of "God's holy word in all parts of this kingdom; and to an "act againſt enjoying pluralities of benefices by ſpiritual "perſons, and non-reſidency; for regulating and reform-"ing both univerſities, and the colleges of Weſtminſter, "Wincheſter, and Eaton; for the better diſcovery, and "ſpeedy conviction of popiſh recuſants, for the education "of the children of papiſts, by proteſtants, in the proteſtant "religion, for levying penalties againſt papiſts: to an act "to prevent the practices of papiſts againſt the ſtate, and "for putting the laws in execution, and for a ſtricter courſe "to prevent hearing, and ſaying of maſs.

"4. As to the covenant, his majeſty is not yet therein "ſatisfied, that he can ſign or ſwear it, or conſent to im-"poſe it on the conſciences of others; nor doth conceive "it proper, or uſeful, at this time, to be inſiſted on [1].

"5. Touching the militia, his majeſty will conſent to "an act of parliament, to be in the parliament's hands for "ten years.

"6. Touching Ireland, after advice with his two houſes, "he will leave it to their determination, and give his con-"ſent accordingly.

"7. Touching

[1] This was, to avoid incenſing the independents, who were intirely againſt ſubmitting to the covenant. Rapin.

"7. Touching public debts, his majeſty will give his 1648.
"conſent to ſuch an act, for raiſing of moneys by general
"and equal taxations.

"8. He propoſeth, that he may have liberty forthwith
"to come to Weſtminſter, and be reſtored to a condition
"of freedom and ſafety, a thing which he ſhall never deny
"to any of his ſubjects, and to the poſſeſſion of his lands
"and revenues; and that an act of oblivion and indemnity
"may paſs, to extend to all perſons, for all matters relating
"to the late differences, which being agreed by his two
"houſes of parliament, his majeſty will be ready to make
"theſe his conceſſions binding, by giving them the force
"of laws by his royal aſſent [1]."

Remark on theſe offers.

If theſe offers concerning religion are conſidered, with reſpect to the king's private opinion, they may be ſaid to be great condeſcenſions, perhaps greater than his conſcience allowed, ſince it was his real belief, there was no true church without biſhops. But if theſe offers are conſidered, with regard to the preſbyterians and independents, of whom the parliament conſiſted, they will be found to be by no means ſatisfactory. They were only a ſort of interim, which tended to make them loſe the preſent opportunity to aboliſh epiſcopacy intirely.

Another remark.

I cannot forbear making another remark on this occaſion. The king artfully endeavoured, ſo to order it that his own propoſitions ſhould be treated upon, which the parliament had ever refuſed, ſo apprehenſive were they of the uſual ambiguities and reſtrictions in the king's papers, and of which there is even here a freſh inſtance, in the firſt article concerning religion. But he was diſappointed now, as well as before. The parliament, without taking notice of his offers [2], ordered the commiſſioners to proceed ſolely according to their inſtructions.

The offers are rejected. Ruſhworth, VII. p. 1282. p. 1286, 1287. Whitelock.

Whereupon the king delivered a paper to the commiſſioners, containing the reaſons why he could not conſent to the abolition of epiſcopacy, which, he ſaid, he conceived to be of apoſtolical inſtitution. That as to the ſale of church-lands, he affirmed it to be real ſacrilege, beſides that at his coronation, he had ſworn to maintain the rights of the clergy. All theſe reaſons, with many more that might have been added, ſignified nothing to the commiſſioners, who had no

[1] More than this (ſays Whitelock) could not be obtained of the king, though moſt earneſtly begged by ſome of the commiſſioners (great perſons) with tears, and on their knees; particularly as to the propoſition touching religion. Whitelock, p. 340.

[2] They voted them unſatisfactory, See Ruſhworth, Tom. VII. p. 1282. Whitelock, p. 340.

1648. no power to relax on any point. All they could do, was to ſend them to the parliament, and expect their orders. But, this delayed the concluſion of the treaty, and conſumed the time which the king and parliament ought equally to have improved.

The king conſents to the article about the militia. Ruſhworth, VII. p. 1291. Whitelock, p. 342.

Some days after, the king being deſirous to gain the good-will of both houſes, and ſome conceſſion in favour of epiſcopacy, which was the principal, and, as I may ſay, the only point that hindered the concluſion of the treaty, declared to the commiſſioners, "that he conſented for the ſettling "the militia by ſea and land, in the parliament's hands for "twenty years, and for confirming for three years by act "of parliament, the form of church-government, and di-"rectory for worſhip preſented to him. But he added, that "he was not ſatisfied in his conſcience, or could be content "to the utter aboliſhing of epiſcopacy; the ſubſtance where-"of he conceived to conſiſt in the power of ordination and "juriſdiction, as they were exerciſed by the apoſtles them-"ſelves, and others, by authority derived from them, ſupe-"rior to preſbyters and deacons in the primitive times. His "reſolution being to comply with his two houſes, for the "alteration and regulating of his preſent hierarchy and go-"verment, ſo as epiſcopacy reduced to the primitive uſage, "might be ſettled and continued in the church of England, "and if his two houſes ſhould ſo adviſe, his majeſty would "be content to leſſen the extent, and multiply the number "of the dioceſes.

"As to the exception, that his majeſty had not expreſſed "his conſent for ſettling of biſhops lands upon truſtees, and "for the ſale of thoſe lands; it was true he had not, to "alienate the inheritance of thoſe lands, and herein he be-"lieved he had the concurrent opinions of many divines, "that in other points differed much among themſelves: but "his former anſwer containing a large offer of ſatisfaction "to all thoſe that had purchaſed or diſburſed monies upon "thoſe lands, he hoped that anſwer would be ſatisfactory to "his two houſes.

"For the calling and ſitting of the aſſembly of divines, "his majeſty would aſſent as was deſired.

"That his majeſty would confirm the public uſe of the "directory in all churches and chapels, as was deſired in "the propoſition, and would conſent to the repeal of ſo "much of all ſtatutes, as only concerned the book of "common-prayer, and alſo the taking the ſame away out "of all churches and chapels, provided that the uſe thereof

"might

" might be continued in his majeſty's chapel for himſelf and 1648.
" his houſhold: and that the ſame ſhould be confirmed by
" act of parliament for three years, provided only that a
" conſultation in the mean time be had with the aſſembly
" of divines in ſuch a manner, and for the purpoſes as were
" in his former anſwer expreſſed.

" Touching the articles of religion, his majeſty profeſſed,
" he had not had time ſince they were delivered unto him,
" to look into them with that deliberation which was re-
" quiſite, before he bound himſelf up and his ſubjects in
" matter of faith and doctrine; and therefore deſired, that
" part of the propoſition might be reſpited by his two
" houſes. But he would conſent to an act for better obſer-
" vation of the lord's-day; as alſo to prevent the ſaying of
" maſs.

" Laſtly, concerning the covenant, and the ordinance
" concerning the ſame, his majeſty's anſwer was, that he
" not being ſatisfied to take it or impoſe it on others, he
" conceived his two houſes would not inſiſt upon it at that
" time, and the rather, becauſe the ends thereof would be
" obtained by the agreement if happily concluded."

Some days after, the two houſes received advice from their commiſſioners, that the king had fully conſented to the propoſition concerning Ireland. Ruſhworth, VII. p. 1293.

By a letter which came the 17th of October, they heard, the king had agreed to the propoſitions concerning the publick debts, and for taking away all honours and titles conferred ſince the 20th of May 1642.

By another of the 18th, that concerning delinquents, his majeſty offered,

" That all perſons who had any hand in the plotting, His ma-
" deſigning, or aſſiſting the rebellion in Ireland, ſhould jeſty's pro-
" expect no pardon, as was expreſſed *in the firſt branch of* poſals with
" the propoſition. As to all the reſt of the propoſitions his regard to delinquents.
" majeſty could not conſent thereunto, as was propoſed, Id. p. 1299.
" otherwiſe than in the following manner; *viz.* As for all Whitelock.
" other perſons compriſed in the ſaid firſt branch, his majeſty,
" for ſatisfaction of his two houſes, would give way, that
" they might moderately compound for their eſtates, and
" deſired they might be admitted to the ſame; and for re-
" moving of diſtruſt and interruptions of the public ſettle-
" ments, his majeſty would conſent as followeth: That
" ſuch of them as the two houſes of parliament would inſiſt
" on, ſhould not be admitted to his councils, and be re-
" ſtrained from coming to court, at ſuch diſtance as both

1648. "houſes ſhould think fit, and ſhould not have any office "and employment in the common-wealth, without the "conſent of both houſes of parliament; or ſhould abſent "themſelves out of the kingdom for ſome time, if both "houſes of parliament ſhould think fit. That all other "perſons in that propoſition ſhould ſubmit to a moderate "compoſition, and for the ſpace of three years ſhould not "ſit, or ſerve as members, or aſſiſt in either houſe of par-"liament, without conſent of both houſes."

The conferences are prolonged a week. Ruſhworth, VII. p. 1299.

The time fixed for the continuance of the treaty being almoſt expired, and nothing ſettled on the article of epiſcopacy, which was properly the only point on which difficulties occurred, the two houſes found an expedient to prolong the negotiation a week, by ordering, that the Sundays and Faſt-days ſhould not be accounted part of the forty days allowed for the conferences.

New offers from the king touching epiſcopacy. Id. p. 1301. Whitelock.

The 21ſt of October the king ſent a freſh meſſage to both houſes concerning epiſcopacy. Cromwell was on the road to join the army, and it was to be feared, if the treaty was not concluded before his arrival, he would raiſe invincible obſtacles to it. The king ſufficiently knew him, to believe there was no good to be expected from him. He believed therefore, that to haſten the concluſion of the treaty, to which the affair of epiſcopacy was the grand obſtacle, he ought to make ſome farther conceſſions on that point. Wherefore he acquainted the two houſes, by a meſſage:

"1. That he conſented to the aboliſhing of archbiſhops, "chancellors, deans, and chapters, &c. and the whole "hierarchy, except biſhops.

"2. That for three years no other but preſbyterian-"government ſhould be uſed, and the exerciſe of epiſco-"pal government ſhould be wholly ſuſpended during that "time.

"3. Whereas epiſcopal juriſdiction, if no other had been "agreed upon in the mean time, might have riſen up after "the three years, he now expreſſed his conſent, that none "ſhould be exerciſed after that time other than ordination, "which was reſtrained to the counſel and aſſiſtance of preſ-"byters, but ſuch, and in ſuch manner as ſhould be agreed "by him and his two houſes; whereby until ſuch agree-"ment, or if it were not otherwiſe agreed, epiſcopal juriſ-"diction was wholly laid aſide."

His majeſty alſo that day conſented to the following propoſitions;

"To

"To that for nomination of the great officers of the kingdom, to be by both houſes during the term of ten years.

"To thoſe concerning the city of London, and the great ſeal.

"To that concerning the court of wards, &c. a recompence being aſſured to his majeſty of one hundred thouſand pounds *per annum* to him, his heirs and ſucceſſors, in lieu of the court of wards."

1648. The king conſents to the nomination of the great officers, and to the ſuppreſſion of the court of wards, &c.

The commiſſioners acquainting the king that his anſwer concerning epiſcopacy would not be ſatisfactory to the two houſes, and earneſtly preſſing him to give them a fuller, he told them in writing, he could not abſolutely relinquiſh epiſcopacy. He repeated his offers on that head, adding only, that if in the ſpace of three years he was convinced, that the function of biſhops was not agreeable to the word of God, or that Chriſt commanded any other government, he would moſt chearfully embrace it: but till he was ſo convinced, he believed himſelf bound in conſcience to maintain epiſcopacy.

He refuſes to give up epiſcopacy. Ruſhworth, VII. p. 1302, 1303.

The commons ſpent four or five days in debates upon the king's offers and anſwers, and voted them unſatisfactory, as to the point of epiſcopacy, the lords concurring with them.

The parliament is not ſatisfied with the king's offers. Ruſhworth, VII. p. 1307, 1308. Whitelock.

The ſame was voted concerning the king's anſwer about taking the covenant and aboliſhing popery, for that he deſired to have it tolerated in the queen's chapel and family. The houſes were likewiſe diſſatisfied with the anſwers about alienating biſhop-lands, and ſale of deans and chapters, and concerning delinquents. Thus, the peace ſeemed more remote than ever, eſpecially, as the lords concurred with the commons in the alienation of church-lands.

As the time limited for the conferences was about to expire, theſe reſolutions were ſpeedily ſent to the commiſſioners, with orders to demand the king's final and poſitive anſwer, and by a ſpecial meſſage the commons alſo deſired of the king, that his majeſty would be pleaſed to declare expreſsly againſt the Iriſh rebellion, and the ceſſation concluded with the rebels, and forbid the junction of the marquis of Ormond's forces with the Iriſh papiſts to make war upon the proteſtants. But as there remained only three days, which was not a ſufficient time to receive the king's anſwer, the lords prevailed with the commons to prolong the treaty a fortnight, and the rather, as the king had deſired to confer with Dr. Uſher archbiſhop of Armagh, and the biſhops of

New demand to the king about Ireland. Ruſhworth, VII. p. 1303.

The treaty prolonged fourteen days. p. 1315, 1316. Clarendon, III. p. 171.

1648. of Worceſter and Rocheſter, upon the affairs of the church. But as much was not to be expected from this delay, the commiſſioners were allowed to return to the parliament, leaving three of their number to receive the king's final anſwer [1]. Twelve of the commiſſioners coming to London, reported to the parliament the king's final anſwer, which had been delivered to them the 9th of November, and was to this effect:

The commiſſioners report of the king's laſt anſwer. Ruſhworth, VII. p. 1321.

"That his conceſſions had been miſapprehended, and "that he did not intend to make any more new biſhops "during the term of three years.

"That whereas it might be objected, That in the end "of three years the power of ordination ſhould be practiſed "in the old manner as formerly, that is, the biſhops ſhould "be at liberty to call what preſbyters they would to aſſiſt "in ordaining, but were not bound to their counſel or con- "ſent, his majeſty did now intend and conſent, that biſhops "ſhould not receive any into holy orders without conſent "of a limited number of preſbyters to be choſen in ſuch "manner as ſhould be agreed on by his majeſty and his "two houſes for that purpoſe.

"That his majeſty did not intend, that after the end of "three years no certain way ſhould be ſettled concerning "eccleſiaſtical government, for that his majeſty did purpoſe "during the three years, to have a conſultation with the "aſſembly of divines, twenty being added of his nomina- "tion, which if his two houſes ſhould reſolve to entertain, "it could not well be doubted, but upon the debate, ſuch "a government would be agreed on by his majeſty and his "two houſes, as ſhould be beſt for the peace of the church, "and moſt proper to prevent thoſe diſtractions which his "two houſes apprehended might enſue.

"As to that part of the propoſition concerning the book "of common-prayer; for the ſatisfaction of his two houſes, "that he would not inſiſt upon any proviſion for conti- "nuance of the ſame in his majeſty's chapel for himſelf and "his houſhold: nevertheleſs his majeſty declared, that he "intended to uſe ſome other ſet-form of divine ſervice.

"As to their requeſt, that an act be paſſed for a ſtricter "courſe to prevent the ſaying and hearing of maſs in the "court, or any part of the kingdom, or in Ireland, his "majeſty would conſent thereunto.

"As

[1] The earl of Northumberland, Mr. Pierrepoint, and Mr. Denzil Holles. Whitelock, p. 347.

1648.

"As to all other particulars mentioned in the parliament's paper, he referred himself to his former answers.

"Concluding, that since he had by his concessions "brought all differences concerning the church into so narrow a compass, that the chief visible obstruction was, that "wherein really in conscience he was not satisfied, he "hoped his two houses would not put farther pressures of "so tender a nature upon him."

All this was not capable to induce the commons to desist from the least of their pretensions. They voted, that his majesty's answers concerning the church, form of prayer, hearing and saying mass, were unsatisfactory; and ordered the three commissioners attending the king to inform him of these votes, and press him for his final answer. The parliament is not satisfied with it. Nov. 11. Id. p. 1323.

As the parliament had not hitherto taken any notice of the king's propositions or desires, the house of commons at length took them into consideration, and passed the following votes:

"1. That his majesty's coming to London shall be with "freedom, safety, and honour, so soon as the concessions "of the treaty are concluded and agreed.

"2. That his majesty shall have his lands and revenues, "what is legally his, made good to him, according to the "laws of the kingdom.

"3. What his majesty shall pass away of his legal rights, "he shall have allowance in compensation thereof.

"4. That an act of oblivion be presented to his majesty, "to be passed with such limitations as shall be agreed on "by both houses of parliament.

Votes upon the king's desires. Nov. 13, 14. Id. p. 1327.

It is certain, there was never any difficulty either about the king's return, or the restitution of his revenues, or the abolition of the court of wards, instead of which he was to have a hundred thousand pounds a year. These three articles were considered as a natural consequence of the conclusion of the treaty. But as to the act of oblivion, the king and parliament did not agree. The parliament insisted upon excepting from pardon such a number of delinquents, that is, of those who had served the king, and were considered as the authors of the troubles. They intended to confiscate their estates, and banish them the realm. In short, after long debates, the number of excepted persons was reduced to seven, about whom the two houses did not agree [1]. Contest about the act of oblivion. Id. p. 1299, 1309, 1310.

May,

[1] The persons excepted by both houses, were, the lord Digby, Sir Marmaduke Langdale, Sir Richard Greenville, judge Jenkins, Sir Francis Dodington; and instead of the earl of Newcastle, and Sir John Winter, the lords voted, Sir George Ratcliffe, and the lord Byron. Rushworth, Tom. VII. p. 1324.

1648. Nay, as to thoſe that were to be included in the pardon, the parliament pretended to inflict a pecuniary puniſhment on them, and had ranked them under ſeveral claſſes, according to which, ſome were to forfeit one half of their eſtates, others a third, others a fourth, and had aſſigned the money thence ariſing towards the payment of the publick debt. The king, on the contrary, pretended, that all without exception ſhould have the benefit of the act of oblivion. He conſented only that ſome of thoſe whom the parliament termed delinquents, that is, his faithful ſervants, ſhould be liable to a moderate compoſition, a general expreſſion, on which there would have been many diſputes, had it come to be diſcuſſed. However, this article, which was conſiderable, was not yet ſettled: but it was not impoſſible to find expedients to ſatisfy the king and the parliament, if the difficulties concerning religion had not hindered the concluſion of the treaty, upon which I cannot forbear making two remarks.

p. 1299. Whitelock, p. 347, 348.

Remarks on the difficulties with reſpect to religion.

The firſt is, that if the commons inſiſted ſo long upon the ſigning the three bills, it was becauſe they knew how inflexible the king was in the point of epiſcopacy, and deſpaired of concluding a treaty with him, unleſs he previouſly granted this article, upon which they were no leſs inflexible than he, as plainly appeared in the conferences. This was the principal point, without which perhaps there would have been no war, and from which the preſbyterians could not depart without loſing the fruit of all their labours and ſucceſſes againſt the king.

My ſecond obſervation is, that the rigid epiſcopalians had room to ſee in theſe conferences, what prejudice their former exceſſive ſeverity againſt preſbyterianiſm now brought them; ſince it was not poſſible to find any other way to content the preſbyterians than the abolition of epiſcopacy. The preſbyterians, knowing by long experience the king's ill-intentions towards them, thought they could not truſt to conceſſions extorted from him by neceſſity, and were not to be ſatisfied ſo long as the name of biſhop ſubſiſted. They were apprehenſive, and perhaps very juſtly, that the function of biſhops, though reduced almoſt to nothing by the king's offers, would be a foundation on which the king intended to raiſe the ſuperſtructure of the hierarchy, or a toothing, which ſhowed that he meant not to leave the building in its preſent condition. The example of what had happened in Scotland farther confirmed their jealouſies and fears. In that kingdom, all the epiſcopal functions had been aboliſhed. The

biſhops

bishops had retained only the bare name, with some temporal privileges, entirely destitute of authority or jurisdiction. But even this had sufficed to give king James occasion to restore them to all the rights they had enjoyed before the reformation. Charles I. might intend to do the same thing in England; and the presbyterians but too well remembered, that at the very time he granted the Scots the extirpation of episcopacy, he wrote to the Scotch bishops that it was only through compulsion, and till he should have opportunity to restore the church to her former splendor. Without this prejudice of the presbyterians, without this want of confidence, of which the king may be said to be himself the cause, it is certain his offers with regard to episcopacy might have served for foundation to a peace, as the parliament acknowledged when it was too late. Mean while, the two houses, not despairing entirely to bring the king to their terms, continued the treaty a week longer. 1748.

Another prorogation of the treaty. Rushworth, VII. p. 1330.

Whilst both houses were employed in the affairs of the treaty, the officers of the army, whose head-quarters were then at Windsor, met in a council of war, to endeavour to obstruct the peace. They knew what had passed at Newport, and that the conclusion of the treaty depended but on a single point, which they did not question, the king would at last grant. Wherefore they resolved to hinder the conclusion by force. Cromwell was not yet come to the army, but remained about Pontfract, to order the siege of that place, which had been surprised by the king's party, and the garrison whereof kept the whole country in awe, and committed great violences. Colonel Rainsborough had been detached from the army, to command at the siege; but had been surprized in a neighbouring town by a party of the garrison, who had killed him, not having been able to carry him off [1]. Cromwell had ever loved and esteemed him, and therefore earnestly wished to revenge his death, besides that he was importuned by the committee of Yorkshire, to employ the forces he was leading from Scotland, for the reduction of that place. This had detained him some time in those parts. But as he wanted not all his troops for the siege,

The army prepares to obstruct the peace. p. 1338. Ludlow.

Cromwell stays before Pontfract. Rushworth, VII. p. 1141, 1314, 1315. Whitelock. Clarendon, III. p. 141, &c.

He sends part of his forces to the general.

[1] Forty horse sallied out of Pontfract towards Doncaster, where they killed the centinel; then three of them rode on to Doncaster, and asked for colonel Rainsborough's quarters, and coming to his chamber, there called to him, and said, They had a letter from lieutenant-general Cromwell. The colonel rose and opened his door to them, (expecting such a letter that morning) and presently the three Pontfract soldiers fell upon him, shot him in the neck, another shot him through the heart, with other wounds, and left him dead, escaping without any alarm given. Whitelock, p. 346.

1648. siege, because he had there already a detachment of the army, he sent part of his forces before, to join general Fairfax. This reinforcement being arrived, the army believed themselves able to execute what had been resolved. To that purpose, the 18th of November, which would have been the last day of the Newport conferences, if the parliament had not continued them a week longer, colonel Ewers, attended with some officers, presented to the commons from the army, a remonstrance, which plainly discovered the intentions of the independent party. The substance of the army's desires, was to this effect:

Remonstrance of the army. Nov. 20. Rushworth, VII. p. 1330. Whitelock.

" 1. That the king be brought to justice, as the capital " cause of all the evils in the kingdom, and of so much " blood being shed.

" 2. That a timely and peremptory day be set for the " prince of Wales, and duke of York, to come in and surrender themselves; if not, that they be declared incapable of government, or any right in England, and stand exiled for ever as traitors; and if they render themselves by the time, then the prince to be proceeded against or remitted, as he shall give satisfaction, and the duke the like, and that the revenue of the crown be sequestred. Also the 10,000 *l.* to be added, be disposed to publick use.

" 3. That publick justice may be done upon some capital causers or actors in the war.

" 4. That the rest upon submission may have mercy for their lives.

" 5. That the soldiers have their arrears.

" 6. That publick debts be paid, chiefly to those who voluntarily laid out their estates, and ventured their lives, and this to be done by fines of delinquents, and the estates of those excluded from pardon.

" 7. After publick justice thus done, then that a reasonable certain period be put to this parliament.

" 8. That there be a certain succession of future parliaments, annual or biennial, with secure provision, (1.) for the certainty of meeting. (2.) For equal distribution of elections, to render the commons house an equal representative. (3.) For certainty of the people's meeting, and that none who have engaged in the late war, or shall engage against the right of parliament and kingdom, or adhere to the enemies thereof, be capable of electing, or being elected during some years, nor those who shall not join with them, but oppose this settlement.

(4.)

"(4.) For clearing the power of this repreſentative, it be declared to have the ſupreme power, as to the governing and preſervation of the whole, as to the people of England, and to altering, repealing, or aboliſhing of laws, the making war or peace, the higheſt or final judgment in all civil things; and all miniſters or officers of ſtate ſhall be accountable to them, bound and concluded thereby; provided, firſt, They may not cenſure or queſtion any man after the end of this parliament, for any thing ſaid or done in reference to the late war. Secondly, They may not render up, give or take away any right, liberty, or ſafety, contained in this ſettlement or agreement: that there be a liberty of entering diſſents in the ſaid repreſentative; in caſe of corruption in theſe higheſt truſts, the people may know who are free, and who guilty, that ſo they may not truſt ſuch for the future, but with further penalty to any, for their future judgment there. 1648.

"9. That no king be hereafter admitted, but upon election of, and as upon truſt from the people, by ſuch their repreſentative, not without firſt diſclaiming and diſavowing all pretence to a negative voice againſt the determination of the ſaid repreſentative, or commons in parliament, and that to be done in ſuch form more clear than heretofore in the coronation-oath.

"Theſe matters of a general ſettlement are propounded to be done by this parliament, and to be further eſtabliſhed by a general contract or agreement of the people, with ſubſcriptions thereunto; alſo that it be provided, that none be capable of benefit by this agreement, who ſhall not conſent and ſubſcribe thereunto, nor any king be admitted to the crown, or other perſon to any other office or place of publick truſt, without expreſs accord and ſubſcription to the ſame."

The parliament returned no anſwer to this remonſtrance, as well as to ſome others of the like nature, preſented to them during the treaty. I have already mentioned that of the 11th of September, from thouſands of the inhabitants in and about London, and that of the maſters and commanders of ſhips. The 30th of the ſame month they received another, in the name of many thouſands of the county of Oxon. The 10th of October, a petition was preſented to the commons, ſigned by the Newcaſtle-men, deſiring that ſpeedy juſtice might be executed upon the greateſt delinquents. The ſame day, the inhabitants of Yorkſhire petitioned for the ſame thing, ſaying, '*His majeſty had confeſt himſelf, and his*

The parliament returns no anſwer. Several petitions demanding juſtice upon the king. Ruſhworth, VII. p. 1279, 1290.

1648. *his party, 'to be guilty of the blood that had been shed.'* The 30th of the same month, the officers of Ingoldsby's regiment, garrisoned at Oxford, presented a petition to the general, desiring, "That immediate care be taken, that justice "be done upon the principal invaders of their liberties, "namely, the king and his party, and sufficient caution "given to future kings for preventing the inslaving the "people hereafter. Adding, that being apprehensive the "issue of the treaty now in hand, could neither be just nor "safe, they prayed his excellency to re-establish a general-"council of the army, to consider of some effectual reme-"dies to this evil, either by representing the same to the "house of commons, as the petitioners of London, or by "some other way." On the other hand, whilst Cromwell was at Pontfract, every regiment of his army presented petitions to him, demanding justice upon the king; which were all sent to the general [1]. Hence it appears, that the army's remonstrance was an effect of the plots laid by the independents, who in several parts of the kingdom infused these violent resolutions into the people and officers, to hinder the conclusion of a treaty which could not but ruin their party. Very likely, the presbyterians fully perceived the designs of the independents, and these petitions were but too apt to convince them of the same. But they hoped to amuse them till the treaty was ended, not doubting, the king would at last consent to the abolition of episcopacy. As for the other articles which were not yet settled, probably, they would have chosen rather to yield them to the king, than retard the conclusion of the treaty, which to them was so necessary. Affairs being in this situation, it was not proper still more to provoke the independents, by answers which would not have pleased them. On the other side, they could not think of agreeing with the king, without obtaining the abolition of episcopacy, not thinking themselves safe so long as the very name of bishop subsisted. In short, it was not proper to attempt a resistance of the army by force. In all appearance, their preparations would but have hastened the execution of the army's resolutions, whereas it was their interest to amuse them only for some days. All their hopes therefore were grounded upon the king's compliance, which they hardly questioned, considering the manifest danger to which his obstinacy would expose him. For it is not likely, he

p. 1311. Whitelock.

Rushworth, VII. p. 1288.

The parliament tries to amuse the army.

[1] October 18. Ireton's regiment presented also a petition to the general; which, as Whitelock observes, was the beginning of the design against the king's person, p. 343.

he was ignorant of the petitions preſented againſt him, or was not ſoon informed of the army's remonſtrance, ſince every one had free acceſs to him. 1648.

Three days after the parliament had received the remonſtrance, letters came from the commiſſioners at Newport, with his majeſty's anſwer concerning the marquis of Ormond, and the biſhops lands; namely, that he could not give any orders to the marquis before the treaty was ſigned, but then would do as both houſes deſired; and if the marquis refuſed to obey, would take ſuch meaſures againſt him as ſhould be ſatisfactory to the two houſes. That as to the biſhops lands, he perſiſted in his former offers. This anſwer afforded no great hopes of a ſpeedy accommodation. However, as it was delivered the 16th of the month, two days before the preſenting of the army's remonſtrance, it was hoped, the next news from Newport would be more ſatisfactory. But on the 25th the parliament was informed, by letters from the commiſſioners, that the king had poſitively refuſed to add any thing to his former anſwers [1]. The king rejects the laſt propoſition concerning Ireland. Nov. 21, 23. Ruſhworth, VII. p. 1332—1334. p. 1338.

This was not all. They were acquainted at the ſame time, that the general had required colonel Hammond to attend him at the head-quarters, and ſent colonel Ewers to take the command of his majeſty in the Iſle of Wight, who kept the king under very ſtrict cuſtody. Thus the precautions taken by the parliament, to hinder the king from coming to treat in perſon at London, for fear he ſhould meet with too many friends, were the cauſe that they could not be maſter of his perſon, when it would have been moſt neceſſary. Two days after, the commons received a letter from colonel Hammond, with the general's order to him to repair to the army, and reſign his command to col. Ewers. Whereupon the commons voted, that colonel Hammond ſhould be required to ſtay in the Iſle of Wight, and the general be acquainted with this vote. But Hammond was now gone to the army, and had reſigned the cuſtody of the king to colonel Ewers. Notwithſtanding all this, the parliament ſeems not to have deſpaired of agreeing with the king, ſince the commons deferred the conſideration of the army's remonſtrance, till the 1ſt of December, in order to be better able to anſwer it when they ſhould know the king's final reſolution. The ſame day, the general received petitions Hammond is recalled to the army, and Ewers ſent in his room. Nov. 25. Ibid. Nov. 27. Fruitleſs vote of the commons. Ibid. Conſideration of the remonſtrance put off. p. 1341. Whitelock. Petitions to the general.

[1] The king alone diſputed upon the ſeveral articles, with the parliament's commiſſioners, none of his attendants being permitted to ſpeak. Warwick's Mem. p. 322.

1648. tions from the forces in the north, and in Wales, agreeable to the army's remonſtrance.

Letter and orders to the general from the commons. Ruſhworth, VII.p.1340.

After the general had thus made himſelf maſter of the king's perſon, without the privity of the two houſes, it was not very likely, he ſhould be diſpoſed to receive their orders. Nevertheleſs, the commons told him in a letter from their ſpeaker, that his orders to colonel Ewers were contrary to their reſolutions, and colonel Hammond's inſtructions, and that it was the pleaſure of the houſe, he ſhould recal his orders, and ſuffer colonel Hammond to attend his charge in the Iſle of Wight. But the general, and council of war, took no notice of this order.

In vain.

The king is removed to Hurſt caſtle. Nov. 30. Cook. Firebrace. Herbert.

The next day, the king, by command of the general, was removed by lieutenant-colonel Cobbet to Hurſt-caſtle in Hampſhire, ſituated on a narrow piece of land, running into the ſea, overagainſt the Iſle of Wight, and the parliament was not informed of it till three days after.

Mean while, the army was not idle, being reſolved to run all hazards to prevent the concluſion of the treaty. The ſame day, November the 30th, they publiſhed a declaration or manifeſto, wherein they clearly diſcovered their deſigns, and which was to this effect:

The army's declaration. Nov. 30. Ruſhworth, VII.p.1341. Whitelock.

"That the army being full of ſad apprehenſions concerning the danger and evil of the treaty with the king, and of any accommodation with him, or reſtitution of him thereupon, they did, by a remonſtrance, make their application thereby to the houſe of commons. That they took this courſe out of an earneſt deſire, that thoſe matters of higheſt concernment to the publick intereſt of the nation might be purſued and provided for if poſſible, by thoſe whoſe proper work and truſt it was; but to their grief they found, that inſtead of any ſatisfaction, or reaſonable anſwer thereunto, they were wholly rejected, without any conſideration of them. For they were laid aſide till the Monday following, by which time the treaty, as then ſuppoſed, would have been concluded; but that failing, and two days more being added to the treaty, the conſideration of their remonſtrance in the day appointed was waved and laid aſide; the treaty in the mean while going on in the former way and terms, and like to be concluded the very next day. The army therefore having received no anſwer to their former propoſals, "they

[a] This caſtle was built by king Henry VIII. It is joined to the land by a narrow neck of land, which, at ſpring tides, and in ſtormy weather, is covered by the ſea. The air is very moiſt and unhealthy.

"they could not but remain confident, that the prevailing 1648.
"part of those to whom they did apply, had as it were
"their eyes wilfully shut, and ears stopt, against any thing
"of light or reason offered to them; so as not to discern the
"dangers wherewith the kingdom was threatned.

"The army then seeing nothing left, to which the par-
"liament's engaging and persisting in such ways, could ra-
"tionally be attributed, less than a treacherous or corrupt
"neglect of, and apostacy from the publick trust reposed
"in them, they thought fit to appeal to the common judg-
"ments of indifferent and uncorrupted men, and to the
"more righteous judgment of God above all."

After justifying this extraordinary appeal in the best manner they could, they admonished such members as were upright, and had a just sense of those things, to protest against the resolutions of the house, and withdraw, promising to look upon them as persons that had the chief trust of the kingdom remaining in them, and to adhere to them, and be guided by them, till the introducing of a more formal power, in a just representative, were speedily endeavoured. Then they declared, that they were ready to lay down their arms, if their remonstrance were answered; but that the little notice taken of their propositions, made them sensible there was nothing to be hoped. And therefore the case being so extraordinary, and the danger so pressing, they were drawing up with their army to London, there to follow providence, as God should clear their way.

The first of December, the general writ to the city, to inform them of the army's advance towards London, on account of the parliament's contempt of their remonstrance: that they had no thought of plunder, or other wrong to the city, or so much as troubling the inhabitants with quartering any soldiers: but that for prevention of all violence, he desired forty thousand pounds might be provided by the next day [1]. The house of commons agreed, that the city should send this sum to the army, and acquainted the general, that it was the house's pleasure he should not remove nearer London. The general's letter to the city of London. Rushworth, VII. p. 1349, 1359.

The second of this month, the house took the king's offers into consideration, but without coming to any conclusion. Whilst they were debating, the general, with several regiments came and took up their quarters in White-hall, The general comes to London. Ibid. Whitelock.

[1] On the security of the arrears due to the army from the city. Whitelock, p. 358.

1648. hall, St James's, the Meuse, and other places in the skirts of the city, which he judged convenient for his designs.

Vote upon the removal of the king to Hurst castle. Rushworth, VII. p. 1351, 1352. Clarendon, III. p. 183. Whitelock.

The 3d being Sunday, the parliament did not sit. But on the 4th, the commons resumed the debate of the king's concessions, which was interrupted by the news of the king's removal to Hurst-castle. Whereupon they voted immediately, that the carrying the king prisoner to Hurst-castle, was, without the advice and consent of the house. After that, they debated again the king's offers, and sat all the day and night, till five o'clock in the morning. At last, it was proposed, whether the question should be put, and carried by a hundred and forty, against an hundred and four. Then the main question being put, it was voted, that '*his majesty's concessions to the propositions of parliament upon the treaty, were sufficient grounds for settling the peace of the kingdom.*' But I cannot think it was unanimously, as the lord Clarendon affirms[1]. What has been just seen seems to show rather, there were many members not content with this resolution.

Committee to confer with the general. Rushworth, VII. p. 1352.

Immediately after, the house appointed a committee, to confer with the general, for the better procuring a good correspondence between the parliament and the army; and then adjourned to Wednesday. The same day, several other regiments came and quartered in the suburbs of London, and the general caused a proclamation to be made, requiring all delinquents, who had not perfected their compositions, to depart ten miles from London for a month, on pain of being proceeded against as prisoners of war.

More regiments come to London.

The general becomes master of the old palace. Forty-one members of the commons put under custody. Rushworth, VII. p. 1353, 1355. Whitelock, p. 359. Clarendon, III. p. 183. Ludlow.

Wednesday, the 6th of December, the general sent two regiments to Westminster, and the city trained-bands were discharged, who had been set there some months since, for guards to the parliament. After the soldiers were drawn up in the court of requests, on the stairs, and in the lobby before the house, when the members offered to go in, colonel Pride, having a paper of names in his hand, seized upon one and forty, and sent them into the court of wards, where they were kept under guard. The house having notice thereof, sent their serjeant at arms to acquaint these members, that they should forthwith attend the service of the house. But the officer of the guard answered, he had order to secure them, which order he was to obey before any other command[2].

Not

[1] The lord Clarendon says, the main question was so clearly voted, that the house was not divided. Clar. III. p. 183.

[2] May, says Whitelock, were glad of an honest pretence to be excused from appearing in the house, because of the business of the army, the debates

Not long after, colonel Whaley, with other officers, presented to the houſe a paper intitled, "*Propoſals and deſires of the army in vindication of their conduct,*" the ſubſtance whereof was to this effect: 1648.

The army's propoſals preſented to the houſe of commons. Rushworth, VII. p. 1354. Whitelock.

"1. Whereas ſeveral members of your houſe[1], were in the year 1647, impeached by yourſelves for treaſon, or for high crimes and miſdemeanors, in relation to the treaſonable engagement in the city of London; the violence then done upon the parliament, the levying of a new war, and other evils, in maintainance and proſecution thereof; and upon clear proofs againſt them, were by your cenſure expelled the houſe, and diſabled from farther truſt therein, and upon new writs iſſued out, new members were choſen and returned in ſome of their rooms; and yet by the prevalence of their faction, when in the laſt ſummer's wars, divers faithful members were ingaged abroad upon neceſſary publick ſervice, and others through malignant tumults and diſturbances could not ſafely attend the houſe, the ſame perſons were afterwards re-admitted to ſit in the houſe, and vote as formerly, without any trial or ſatisfaction in the things whereof they were accuſed.

"2. Whereas by the confederacy of major-general Brown, now ſheriff of London, with the ſaid impeached members and others, the Scots were invited and drawn in to invade this kingdom the laſt ſummer, inſomuch as when upon their actual invaſion the houſe proceeded to declare them enemies, and thoſe that adhered to them, traitors; yet the ſaid confederators, and other treacherous members, to the number of ninety and odd, as upon the diviſion of the houſe appeared, did by their counſels and votes endeavour to hinder the houſe from declaring againſt their confederate invaders: We deſire, that the ſaid major-general Brown may be alſo ſecured and brought to judgment, and that the reſt of the ninety and odd perſons diſſenting againſt the ſaid vote, may be excluded the houſe.

"3. Whereas in a continued ſeries of your proceeding for many months together, we have ſeen the prevalence of the ſame treacherous, corrupt, and divided counſels, through factions and private intereſts, oppoſing or obſtructing juſtice in all kinds, diverting your counſels from

"any

hates about which went extremely high. Whitelock, p. 359.

[1] Danzil Holles, Lionel Kopley, major-general Maſſeyy &c. Rushw. Tom. VII. p. 1354.

1648. "any thing of publick good, hindering any proceedings to "any ſuch ſettlement, as would conſiſt with ſecurity to the "publick intereſt, or put a real end to the troubles, bur-"dens, or hazards of the kingdom, and precipitating into "treacherous and diſtructive compliances and conjunctions "with the acknowledged enemies thereof, as in the votes "of *no more addreſſes to the king*, &c. the juſtneſs and ne-"ceſſity whereof you had once ſo cleared to the world; "alſo in the votes for entertaining or ſeeking after all that "perſonal treaty: and laſtly, in the votes declaring the "king's paſt conceſſions to be a ground for the houſe to "proceed upon for the ſettlement of the peace of the king-"dom, notwithſtanding the ſame inſufficiency and defects "of them in things eſſentially concerning the publick inte-"reſt and liberties of the kingdom, as thoſe propounded in "our late remonſtrance are, and in other matters both re-"ligious and civil. We therefore moſt earneſtly deſire, "that all ſuch faithful members who are innocent in theſe "things, would immediately, by proteſtation and publick "declaration, acquit themſelves from any guilt of, or con-"currence in the ſeveral votes or councils here before par-"ticularly mentioned, as corrupt or deſtructive, that the "kingdom may know who they are that have kept their "truſt, and diſtinguiſh themſelves from the reſt that have "thus falſified the ſame; and that all ſuch as cannot or "ſhall not ſo acquit themſelves particularly, may be imme-"diately excluded or ſuſpended the houſe, and not re-ad-"mitted until they have given clear ſatisfaction therein, "to the judgment of thoſe who now ſo acquit themſelves, "and the grounds of ſuch ſatisfaction be publiſhed to the "kingdom.

"4. Thus, ſuch as by faithfulneſs have retained their "truſt, being ſet in a condition to purſue and perform the "ſame, without ſuch interruptions, diverſions, and depra-"vations of counſels as formerly: we ſhall deſire, and hope "you will ſpeedily and vigorouſly proceed to take order for "the execution of juſtice, to ſet a ſhort period to your own "power, to provide for a ſpeedy ſucceſſion of equal repre-"ſentatives, according to our late remonſtrance, wherein "differences in the kingdom may be ended, and we and "others may comfortably acquieſce; as for our parts, we "hereby engage and aſſure you we ſhall."

It would be needleſs to make any remarks and obſerva-tions upon this paper, the injuſtice and violence whereof are ſo very obvious. But it was neceſſary to inform the reader

of the contents for the following reaſon. There are hiſto- 1648.
rians whoſe partiality has cauſed them either to omit, or but juſt mention it, without relating the ſubſtance, for fear of convincing their readers, that the preſbyterians were not concerned in what was afterwards tranſacted, and that the independents were the true and ſole authors thereof.

December the 7th, the commons as they were repairing to their houſe, found the door within and without guarded by ſoldiers, who hindered many from going in [1]. The lord Clarendon ſays, near one hundred were denied entrance. This makes me think that the ninety mentioned in the remonſtrance were of this number. So from this day, the houſe of commons is to be conſidered as conſiſting entirely of independents. Very likely from that day, very few or no preſbyterian-members were admitted any more. However, the ſtate of the houſe was once more changed by this new revolution. The preſbyterians had been ſuperior from the beginning of the war, to the 6th of Auguſt 1647. The independents had prevailed from that day, till about the end of the year 1648, when the army was forced to remove from London, after which the preſbyterians were maſters again. At laſt, on the 6th and 7th of December this ſame year, the independents entirely expelled the preſbyterians, or at leaſt diſabled them from ſupporting their party. This muſt be carefully remembred, if we deſire to have a clear idea of the hiſtory.

A hundred members are excluded the houſe by the ſoldiers. Ruſhworth, VII. p. 1355. Clarendon, III. p. 183.

The houſe wholly conſiſts of independents.

The ſame day, December the 7th, Cromwell, who came to London the night before [2], ſat in the houſe, and received thanks for his great ſervices.

Though the general had promiſed the city not to quarter the ſoldiers upon the inhabitants, as this promiſe was only conditional, in caſe the ſum demanded were paid, and as the city had not furniſhed the money, he ordered two regiments into the city, and on the morrow, a third; after which, he took away twenty thouſand pounds from Weavers-hall, aſſuring the treaſurer he ſhould be reimburſed out of the aſſeſſments of the city due to the army.

Cromwell comes to town. Ruſhworth, VII. p. 1355.

The general ſeizes the money in Weavers-hall. P. 1356, 1358.

About the ſame time, was preſented to the general, a plan, intitled, *A new repreſentative*, or, *an agreement of the people*, for ſettling the government [3]. This plan was wholly founded upon independent principles, and agreeable to the army's

Plan for ſettling the government. Dec. 11. p. 1358. Clarendon, III. p. 185.

[1] Upon pretence, that ſomething was to be that day debated concerning them, and therefore they ought not to be judges in their own cauſe. Ruſhworth, Tom. VII. p. 1355.

[2] He lay in one of the king's rich beds at Whitehall. Whitelock, p. 362.

[3] One of the agitators, who was the author of this paper, was ſhot to death for it laſt year, by Cromwell's order. Clarendon, Tom. III. p. 185.

1648. army's remonſtrance, except that it was more large on each article. This agreement was propounded as a rule for future government, and to be ſubſcribed throughout the kingdom. But as this plan was not executed, though it was drawn with great pains by the council of war, and even ſeemed to be approved by the parliament, I do not think it neceſſary to inſert it[r].

Proteſtation of the ſecluded members voted ſcandalous. Ibid. Ruſhworth, VII. p. 1363.

The ſecluded members having publiſhed a proteſtation againſt the violence put upon them, both houſes declared the proteſtation to be falſe, ſcandalous, and ſeditious, and tending to deſtroy the fundamental government of the kingdom, and ordered, that all perſons who had any hand in framing or publiſhing it, ſhould be incapable to bear any office, or to ſit as members of either houſe. They further ordained, that all abſent members, upon their coming to the houſe, ſhould diſclaim their being concerned in, or giving conſent to the contriving or publiſhing the proteſtation.

Order concerning the election of lord-mayor, &c. Dec. 18. Ruſhworth, VII. p. 1365.

After that, both houſes paſſed an ordinance, that no perſons who had been delinquents, or aſſiſted the king againſt the parliament in the firſt or ſecond wars, or been aiding in bringing in the Scots army, or ſubſcribed to the treaſonable engagement in 1647, for a perſonal treaty, or abetted the late tumults within the cities of London and Weſtminſter, or the counties of Eſſex, Kent, Middleſex, or Surry, ſhould be elected, or give their voice for electing the lord-mayor, aldermen, common-council-men, or any other officers. But within a few days, a committee of the common-council acquainted the houſe, that the city was ſo generally concerned in the engagement for a perſonal treaty, that there would not be a ſufficient number of perſons to ſupply the neceſſary offices of the city, if that reſtriction in the late ordinance ſhould ſtand.

Repreſentation of the common-council. Id. p. 1370.

Some of the members that were arreſted are releaſed. p. 1369, Whitelock.

The 20th of December, the general ordered fifteen or ſixteen of the members ſecured by the army to be releaſed, with liberty to reſume their places in the houſe if they pleaſed.

We

[r] It contained rules for future elections of repreſentatives of the people. They to have the ſupreme authority, and this parliament to be diſſolved in April next, and then a new one to ſit. Divers for the election of the members, officers, and malignants, to be incapable of electing, or being elected; and generally of the power and equal diſtribution of the members, to be in all three-hundred-perſons, &c. The frame of this agreement of the people was thought to be, for the moſt part, made by commiſſary-general Ireton, a man full of invention and induſtry, who had a little knowledge of the law, which led him into the more errors. Whitelock, p. 361.

We have just seen how much the face of affairs was altered by the great turn on the 6th and 7th of December. The commons were now all independents, openly supported by the army, and their design was to destroy equally, king, monarchy, episcopacy, and presbytery. As for the house of lords, who had used their endeavour, though in vain, to hasten the peace, they saw themselves, since this revolution, obliged to follow the stream, which was too rapid to be opposed. There were in the house but few peers, most of them indeed presbyterians, but too weak, in their present situation, to assert their negative voice, and the rest of their privileges. Whilst the king was able to protect such as applied to him, the lords retained some authority, because they were not without a resource, in case they were disregarded by the commons. But after the battle of Naseby it was not the same. The commons assumed such a superiority, that the lords had no other way to support themselves, but by approving, or feigning to approve, whatever was done by the other house, for fear of producing a breach which must have been fatal to them, since they would not have known what to do. If they were forced to behave in this manner, whilst their own party prevailed in the lower-house, it is no wonder, they did not dare to swerve from this policy, when the independents had gained the advantage. To what purpose would it have been to resist the torrent? We shall see presently, their first opposition to a material point irrecoverably ruined them. They therefore who blame them for a too great compliance with the transactions since the 6th of December 1648, ought to remember, that this is not an occasion, where we are to reason upon the general ideas of the constitution of the parliament, but rather upon the particular idea of the situation the parliament was in at that time. 1648.

Observation on the house of lords.

Since the independents were masters of the parliament, petitions against the king multiplied so fast, that scarce a day passed without some one being presented to the commons, especially from the garrisons, which were part of the army. Lambert being returned from Scotland, the regiments under his command failed not to present a petition agreeable to the remonstrance of the army. Somersetshire, where the king had formerly many adherents, distinguished itself on this occasion above all the rest, by presenting a petition, desiring that speedy and effectual justice might be executed upon the chief delinquents, that is, upon the king. The commons were so pleased with such a petition from a whole county,

Several petitions for justice against the king. Rushworth, VII. p. 1367, 1373, 1374. Id. p. 1369, p. 1372.

that

1748. that to encourage the reſt to preſent the like, the petitioners were called in and received the thanks of the houſe, and the petition with the order of thanks were forthwith printed and publiſhed. It does not however appear that the other counties followed this example. Only Norfolk, a few days after, p. 1372. deſired by a petition, that the king himſelf might be brought to impartial juſtice.

Committee appointed to draw up a charge againſt the king. p. 1370. Whitelock. Clarendon, III. p. 186.

At length, the 23d of December, the houſe of commons having reſolved, purſuant to the deſires of the army, to bring the chief delinquents to a trial, and intending to begin with the king, appointed a committee of thirty-eight to draw up a charge, and for that purpoſe to receive all informations and examinations of witneſſes for the matters of fact againſt him.

The fleet adheres to the army. Ruſhworth, VII. p. 1370. Whitelock.

The ſame day, the fleet under the command of the earl of Warwick ſent a declaration to the general, that they concurred with the army in their remonſtrance. This did not much redound to the earl of Warwick's honour, who having been one of the preſbyterian-leaders, was the firſt that quitted his party to join with the independents.

Ruſhworth, VII. p. 1375. T. Herbert.

The reſolution to try the king being taken, (a reſolution projected by ſeveral officers of the army, when he firſt retired to the Iſle of Wight) colonel Harriſon was commanded to remove him from Hurſt-caſtle to Windſor. All the time the king was in the Iſle of Wight, he kept a private correſpondence with the lord Newburgh. Since his being at Hurſt, that lord had found means to acquaint him, he was to be removed to Windſor, and as his houſe was in the road *, ſent him word, to endeavour to dine with him, and complain of the going of his horſe, promiſing to ſupply him with one of the fleeteſt in England, by means of which he might attempt to eſcape. Accordingly, the king complained all the morning, that his horſe was very uneaſy, and ſo artfully managed, that he was conducted to dine with the lord Newburgh. But when his majeſty came there, he was quickly told, that the horſe ſo much depended upon, was the day before lamed with a kick. This ſtratagem failing, the king was conveyed to Windſor, where he was kept till the 19th of January 1648-9, when he was carried to St. James's.

Stratagem for the king's eſcape comes to nothing. Clarendon, III. p. 190, 191. Ludlow.

He is brought to Windſor, and from thence to St. James's.

All ceremonies laid aſide with regard to the king.

He was no ſooner at Windſor, than the council of war ordered all the uſual ceremonies to the king to be laid aſide, as ſerving him upon the knee, and the like, and moſt of his domeſticks to be diſmiſſed. For though the council of war

* The lodge at the king's park at Bagſhot.

war had no right to take then upon them, yet they daily encroached upon the privileges of the parliament, which acted entirely by their orders. 1648.

Rushworth, VII. p. 1376, Whitelock.

I have before spoken of the representation of the common-council of London, concerning the election of the lord-mayor, and other officers of the city. The house of commons having heard the report of the committee appointed for that purpose, ordered, that their former ordinance should be punctually executed, not regarding, that the magistrates of London should be chosen out of the ablest and most substantial citizens, provided they were of the reigning party. They further ordered, that freemen, for the future, should not be obliged to take the oaths of allegiance and supremacy.

Ordinance touching the election of the lord-mayor, &c. Whitelock. Rushworth, VII. p. 1365, 1369, 1376.

The same day, being the 28th of December, the committee appointed to consider of drawing up a charge against the king, reported an ordinance for attainting him of high-treason, and for trying him by such commissioners as should be named in the ordinance, which being read the first time, was ordered to be read again the next morning. But as the house knew, the ordinance would be approved at the third reading, they passed an act for erecting a high court of justice, with power to try the king. The preface to which extraordinary act was as follows:

p. 1376.

"Whereas it is notorious, That Charles Stuart, the "now king of England, not content with those many encroachments which his predecessors had made upon the "people in their rights and freedoms, hath had a wicked "design, totally to subvert the ancient and fundamental "laws and liberties of this nation, and in their stead to introduce an arbitrary and tyrannical government; and "that besides all other evil ways and means to bring this "design to pass, he hath prosecuted it with fire and sword, levied and maintained a cruel war in the land against the "parliament and kingdom, whereby the country hath been "miserably wasted, the publick treasure exhausted, trade "decayed, thousands of people murdered, and infinite other "mischiefs committed; for all which high and treasonable "offences, the said Charles Stuart might long since justly "have been brought to exemplary and condign punishment: Whereas also the parliament, well hoping, that "the restraint and imprisonment of his person, after it had "pleased God to deliver him into their hands, would have "quieted the distempers of the kingdom, did forbear to "proceed judicially against him; but found by sad experi-

Preface of the ordinance for erecting a court of justice. Id. p. 1379.

ence,

1748. "ence, that such their remissness served only to encourage "him and his complices in the continuance of their evil "practice, and in raising of new commotions, rebellions, "and invasions. For prevention therefore of the like or "greater inconveniencies, and to the end no chief officer, "or magistrate whatsoever may hereafter presume, traite-"rously and maliciously to imagine or contrive, the enslav-"ing or destroying of the English nation, and to expect "impunity for so doing; be it ordained and enacted, by "the commons in parliament, and it is hereby ordained "and enacted by the authority thereof, That Thomas "lord Fairfax, Oliver Cromwell, Henry Ireton, esquires, "Sir Hardress Waller, knight, Philip Skippon, (and a "hundred and forty-five others) shall be, and are hereby "appointed and required to be commissioners and judges for "the hearing, trying, and adjudging of the said Charles "Stuart, &c. [1]."

1648-9. The lords reject it. Jan. 3. Rushworth. VII. p. 1382. Clarendon, III. p. 187.

The ordinance for trial of the king passed in the house of commons the second of January, and was sent up the same day to the lords for their concurrence. Since the sixth of December, the upper house had consisted only of nine peers, the rest having absented themselves, that they might not be obliged to countenance the outrageous proceedings of the commons. But upon notice that the ordinance would that day be sent up to the lords, there came more peers than usual, as the earls of Northumberland, Manchester, Rutland, the lords North, Rochford, Maynard, Dacres, in all sixteen, and the lord Denbigh speaker. The ordinance being read, was unanimously rejected. However, to gain time, if possible, the lords agreed to acquaint the commons, that they would send answer by messengers of their own; and at the same time adjourned for ten days. This artifice was fruitless. The commons having ordered the journal of the house of lords to be examined, and finding the ordinance was rejected, voted, "That all members of the house of "commons, and others, appointed to act in any ordinance "wherein the lords were joined, shall be empowered to sit, "act, and execute, in the said several committees, of them-"selves, notwithstanding the house of peers join not with "them." And therefore they ordered the names of six lords, who had been appointed for judges, to be left out of the commission, and others to be nominated in their room.

Vote of the commons, that the concurrence of the lords was not necessary. Rushworth, VII. p. 1382.

Among

[1] Both houses declared, on Jan. 1. That by the fundamental laws of this realm, it is treason in the king of England, for the time to come, to levy war against the parliament and kingdom of England. Rushworth, Tom. VII. p. 1380.

Among these last was serjeant Bradshaw, who was afterwards chosen president of the high court of justice. Then, the house voted: 1648-9.

Other votes. Jan. 4. p. 1383. Whitelock.

"1. That the people under God, are the original of all "just power.

"2. That the commons of England assembled in parliament, being chosen by, and representing the people, have "the supreme authority of this nation.

"3. That whatever is enacted and declared law by the "commons of England, assembled in parliament, hath the "force of law, and all the people of this nation are included thereby, although the consent and concurrence of "the king, and house of peers, be not had thereunto [1].

These principles, tho' directly contrary to the true constitution of the English government, were however very agreeable to those of the independents, whose intention was to turn the monarchy into a republick.

The ordinance for trial of the king, with the amendments that were forced to be made for want of the lords concurrence, passed the house of commons the 6th of January. Rushworth, VII. p. 1314. Whitelock.

The following days to the 20th, were employed in preparations for the trial, the like whereof had never yet been seen in the world. I intend not to swell the history with the circumstances of this famous trial. They are to be found in a little book, entitled, '*A true account of the trial of Charles Stuart*, &c.' published at London in 1650, and translated into French, wherein nothing is omitted. I imagine I shall do the reader no injury, to refer him to this book, which is not scarce, and which will inform him of all particulars [2]. I shall content myself therefore with briefly observing, what I think most material in the affair. See State-Trials. Vol. I.

Most material points in the trial of king Charles. I.

[1] These votes, says Rushworth, being reported to the house, the house put them one after another to the question, and there was not one negative voice to any one of them. Tom. VII. p. 1383.—At this time Mr. Elsynge desired to be dismissed from being clerk of the parliament, because (says Whitelock of his own knowledge) he would have no hand in the business of the king. He was a just and honest man, and a most excellent clerk. Mem. p. 364.—Jan. 6. The committee of estates in Scotland residing in London, writ a letter to the commons, desiring they would not proceed to try or execute the king, without the advice of their nation. Rushworth, Tom. VII. p. 1384.

[2] John Bradshaw serjeant at law, was president of the court. William Steele, Dr. Dorislaus, and Mr. Aske, were counsellors assistants to draw up the charge against the king. John Coke, sollicitor. Serjeant Dandy, serjeant at arms. Mr. Phelps and Mr. Broughton, clerks to the court. Ludlow, Tom. I. p. 275.

1641-9. I. The high court of juſtice obſerved the ſame rules in trying the king, as in judging a common malefactor, there being no precedent of ſuch a trial.

Concerning the charge of his levying war againſt the parliament.

II. The principal article of the accuſation was, that the king had levied war againſt the parliament, which was undeniable. The ſieges and battles were evident proofs of it. But this ought not to have been the principal point. It ſhould have been proved, that he was the beginner and author of the war. For it is manifeſt, if the war had been only defenſive on his part, he was not to be blamed. And yet, in the charge, he was ſuppoſed to have put the parliament under a neceſſity of defending themſelves, and this point, which was the chief, not only was not proved, but even not attempted to be ſo. The depoſitions of the witneſſes tended not to ſhow, that the king had forced the parliament to take up arms, but only that he had been ſeen ſword in hand againſt the parliament, and giving orders to levy war. The queſtion, which of the two, the king or the parliament, had begun the war, ought to have been fully cleared. But though it had been ſo to the king's diſadvantage, who does not know, that the beginner of a war, is not always the aggreſſor? This was a point of great diſcuſſion, and which impartial judges would have found difficult to decide. For if what has been ſaid in the hiſtory of this reign be remembered, it will be obſerved, that though it is evident the king governed in an arbitrary manner for ſome years, the ground of the war he undertook, was not in maintenance of this arbitrary power. He had fully conſented to the annulling of his uſurpations. But the ground of the war, on his part, was the defence of the power the king enjoys by the laws of the land. On the parliament's ſide, the ground of the war was, That in a ſuppoſition, the king could not be truſted any more, they would have diveſted him of the power his legal prerogatives afforded him to return to his former courſes, and govern for the future as he had governed before. The king was unwilling to be curbed, and the parliament would ſet bounds to his power. This was the true ground of the war. It was not therefore eaſy to determine who was the firſt author of it. The king refuſed to give other ſecurity for the future than his word; and the parliament pretended to have very ſtrong reaſons to ſuſpect the word of a prince, who had ſo often broke it. To determine on which ſide juſtice and reaſon lay, the king's heart muſt have been dived into, to know whether he was ſincere, or intended to deceive the parliament. On

the

the other hand, it was neceſſary to know, whether the directors of the parliament had not ſome other end than the publick good, and whether private intereſts were not concealed under that pretence. But all theſe things could be known only to God. And yet, the parliament, being judge and party, ſuppoſed, without alledging any proof, that the king was the aggreſſor and ſole author of the war. 1648-9.

III. There are frequent inſtances in hiſtory of kings aſſaſſinated by their ſubjects, in conſequence either of the publick hatred, or of private revenge, or of the intereſt of ſome faction. The Engliſh hiſtory furniſhes, even ſince the conqueſt, examples of two kings ſolemnly depoſed and impriſoned. But till Charles I. it no where appears, that any king was ever tried for his life, before his own ſubjects as judges. I ſhall ſay nothing here of other ſovereigns, who are poſſeſſed of a greater authority over their ſubjects than the kings of England; for there may be a wide difference between ſovereigns in that reſpect. But confining myſelf wholly to the kingdom of England, and ſuppoſing the conſtitution of the government ſuch as it was from the conqueſt to Charles I. I ſhall briefly ſet forth what has been ſaid for and againſt ſo extraordinary a trial. In the firſt place, it is demanded, On what law, natural or poſitive, was founded the right aſſumed by the parliament of England to try the king? The moſt plauſible anſwer in vindication of the parliament's proceedings, is as follows. Of the parliament's making themſelves judge of the king.

According to the conſtitution of the Engliſh government, the king is no leſs bound than the ſubject, to obſerve the laws, to which himſelf or predeceſſors aſſented, which is the principal clauſe of the coronation-oath. If this obligation be equal on both ſides, there muſt be therefore equally means to cauſe them to diſcharge it, in caſe they come to neglect it. As for the ſubject, there is no manner of difficulty. The penalties againſt offenders are univerſally known, and the courts of juſtice are appointed to inflict them. It is true, the laws have ordained no penalty upon the kings who diſcharge not their duty, as well out of reſpect to the regal dignity, as becauſe it cannot be ſuppoſed, that the king, to whom the execution of the laws is committed, ſhould be the firſt to break them, and betray the truſt lodged in him by the people. He is nevertheleſs bound to obſerve them himſelf, and cauſe them to be obſerved by the ſubject. This is a principle generally acknowledged. But what is this obligation, if the obſervance of the laws depends ſolely on his will, and there be no juſt means to compel him to Reaſons for the parliament.

1648-9. obſerve them, or puniſh him when he breaks them? Will it not be an empty ſound without any meaning? And will not the Engliſh government be as arbitrary as that of any other country in the world? Since, therefore, the laws have not decreed any penalty againſt a king that ſhould neglect his duty, or the manner to conſtrain him to diſcharge it; and as, nevertheleſs, he his bound by the ſame laws to procure the obſervance thereof, and to obſerve them himſelf, the nation's repreſentative in parliament is of courſe to call him to an account, ſince it is not poſſible to imagine any other way. Suppoſing the king has violated the moſt fundamental laws of the realm, ſhall foreigners be applied to, for to bring him to juſtice? Can it be ſuppoſed, contrary to experience, that the king is under an impoſſibility of breaking the fundamental laws of the kingdom, of endeavouring to ſubvert them, and of eſtabliſhing an arbitrary government? Will it be maintained, that he may do it with impunity? But if he is aſſured of impunity, what difference is there between the Engliſh government and the moſt deſpotick, ſince its preſervation will ſolely depend on the king's probity and will? If he runs no hazard in trying to alter the conſtitution, after ten attempts, he will try again, even till he ſucceeds. As to the objection, That leſs violent means than war may be uſed to oblige the king to the obſervance of the laws, and leſs unjuſt and extraordinary, than the taking away his life, to puniſh him for the breach of them; it is anſwered, This is true, and the parliament had accordingly tried to ſecure the government by other methods, as by demanding of the king that the power of the militia might be lodged in both houſes. If the king had agreed to it, the realm would have been in peace, and the people's jealouſies have ceaſed. But he had taken up arms to prevent the parliament's uſing theſe means, a clear evidence that his deſign was to maintain himſelf in a condition to alter the government when he ſhould have opportunity. This unjuſt war had been the occaſion of infinite miſchiefs, of the death of thouſands of his ſubjects, and the ruin of the reſt; and if he was brought to a trial, it was not ſo much to puniſh him for violating the laws, as for proſecuting the unjuſt and violent way of arms, before the expedients offered him to prevent his breaking them for the future.

Reaſons againſt the parliament.

The advocates for the king ſay, that though the kings of England have not ſo much authority in their realm as ſome other kings, it does not follow, that they may be put upon a

a level with ſubjects, and made equally accountable for their actions. 1648-9.

2. The principle laid down for foundation, that there is an equal obligation upon the king and the ſubjects to obſerve the law, is falſe, and conſequently the whole reaſoning founded thereon, of no force. For, private perſons being entruſted only with their own conduct, nothing can exempt them from the obſervance of the laws. But the king being entruſted with the government of the ſtate, and the execution of the laws, he has conſequently power to qualify them on certain occaſions, otherwiſe this truſt would be to no purpoſe. The laws could not foreſee every thing, and there are occaſions where it is abſolutely neceſſary for the public good to act contrary to them, or at leaſt, to ſuſpend the obſervance of them, and therefore the obligation of the king and the ſubject is not equal.

3. Suppoſing the king had violated ſome of the fundamental laws of the kingdom, and levied war againſt the parliament after the moſt unjuſt manner, it did not follow that he might be puniſhed with death, by reaſon he has neither ſuperior nor equal in the kingdom, and he could have none but ſubjects for his judges. Beſides, he was the fountain of juſtice, and it was abſurd to make him liable to juſtice, from whom it flows and derives its whole authority.

4. According to this ſuppoſition, the chance of war having put him in the power of his enemies, he might have been detained in priſon, and prevented from doing miſchief, till he was prevailed with to grant all the ſecurities required. But there was a wide difference between impriſonment and death; as the firſt could be conſidered as a reaſonable and neceſſary precaution, and the other as a puniſhment ſubjects were not impowered to inflict on their ſovereign, as, indeed, the like had never been heard of.

5. But the ſuppoſition that the king had violated the laws, and levied unjuſt war againſt his parliament, was very far from being well-grounded. In the firſt place, as to the laws, if the king, miſled by evil counſels, had, on ſome occaſions, carried his power too far, when the parliament made him ſenſible of the ill conſequences of this conduct, he had chearfully and willingly renounced the exorbitant power which he believed himſelf before to be juſtly intitled to. He had, without delay, conſented to all the acts preſented to him on that ſubject, and agreed that his moſt intimate counſellors ſhould be brought to juſtice. The parliament had accepted this reparation, without expreſſing the

1648-9. leaſt deſire of cauſing him to ſuffer for his paſt faults. After that, it was abſurd to alledge theſe ſame faults, ſo amply repaired, as a motive of the juſtice pretended to be executed upon him.

6. As for the war he had levied againſt his parliament, it was wrongfully aſſerted, and without the leaſt proof, that the king had raiſed and begun it on purpoſe to avoid giving his people ſecurity. And under colour of deſiring ſecurity for the future, a deſire wholly founded upon mere ſuſpicions and bare poſſibilities that the king might abuſe his power, it was pretended to ſtrip him of all his prerogatives, in a word, of the regal authority, and leave him only a ſhadow of royalty. Thus, ſuppoſing it true that the king had begun the war, which was by no means evinced, it would alſo be true, that the parliament had excited it, by attempting, under a vain pretence of peace and concord, to reduce the king to the moſt melancholy ſtate a ſovereign can poſſibly be in.

7. The juſtice, pretended to be executed upon the king, was founded intirely on two ſuppoſitions, ſupported with no proof. The firſt, that the king had undertaken the war, only to free himſelf from giving ſecurity. The ſecond, that there was reaſon to fear he would employ the power that ſhould be left him, in altering the conſtitution. All reaſonable perſons were therefore left to judge, whether there was juſtice in trampling upon all laws divine and human, and inflicting upon their ſovereign a capital puniſhment on two ſuch raſh ſuppoſitions.

8. As for the plunder, ruin, murder, and other miſchiefs occaſioned by the wars, before they could be charged to the king's account, it ought at leaſt to have been well proved that he was the author of the war. But if this point were fully examined, it would doubtleſs be found, that the complainers themſelves could alone be charged with it.

9. The king was proceeded againſt for intending to change the government, and make it arbitrary and tyrannical. But every Engliſhman was convinced, that the government had never been more deſpotic, more tyrannical, and more arbitrary than ſince the meeting of this parliament. There was ſcarce a law but what had been violated. The two houſes had, for ſeveral years, uſurped the ſupreme authority contrary to the known laws. And lately the commons had voted, that all power was lodged in them, without the concurrence of king and peers, a maxim unknown to the Engliſh from the foundation of the monarchy.

10. The

10. The commons in eſtabliſhing, by a bare vote, that it belonged to them alone to try the king, had plainly declared, they owned neither ſuperior nor equal, which was really introducing an arbitrary government. 1648-9.

11. Laſtly, till 1643, the parliament had only ſuſpected the king's intention to alter the government, but after the parliament had aſſumed the direction, the government was really and truly changed. The king was moreover ſuſpected of deſigning to alter the eſtabliſhed religion: but the parliament had indeed changed it, and reduced it to a deplorable confuſion, and the project of this unfortunate change had been the true cauſe of the war, and of all the ſubſequent calamities.

IV. The fourth circumſtance I intend to obſerve, is, that the king was brought three times before the high court of juſtice, and as often called upon to anſwer the charge entered againſt him, which was read in his hearing. But he conſtantly refuſed to own the authority of the court, and of thoſe who erected it. On the other hand, the court would never hear his reaſons for declining their juriſdiction. They always took for granted, that the authority by which the court was eſtabliſhed, was ſufficient; which was the very thing the king would have combated, but was never ſuffered. At laſt, ſeeing he could not prevail to be heard on that ſubject, he left his reaſons in writing to this effect:

His reaſons for it. Ruſhworth, VII. p. 1403.

"That no earthly power could juſtly call him (who was "their king) in queſtion as a delinquent.

"That there were no proceedings juſt againſt any man "but what were warranted, either by God's laws, or the "municipal laws of the country where he lives. As for "the proceedings againſt him, they could not be warranted "by God's laws. For on the contrary, it is there ſaid; "*where the word of a king is, there is power; and who may "ſay unto him, what doſt thou?* Eccleſ. viii. 4. Then for "the law of the land, no impeachment can lie againſt the "king, they all going in his name: And one of their "maxims is, *That the king can do no wrong.* Beſides, the "law upon which they grounded their proceedings, muſt "either be old or new; if old, they ought to ſhew it; if "new, they ſhould tell what authority, warranted by the "fundamental laws of the land, had made it, and when.

"How the houſe of commons could erect a court of judi-"cature, which was never one itſelf, he left to God and "the world to judge.

"And

1648-9. "And it was full as ſtrange, that they ſhould pretend to "make laws without king, or lords houſe, to any that had "heard ſpeak of the laws of England. And admitting, "that the people of England's commiſſion could grant their "pretended power, he ſaw nothing they could ſhew for "that; for certainly they never aſked the queſtion of the "tenth man in the kingdom.

"That having concluded, as much as in him lay, a "treaty at Newport, and expecting the houſe's agreement "thereunto, he was ſuddenly ſurpriſed and hurried from "thence as a priſoner; that the higher houſe, for any thing "he could ſee, was totally excluded; and for the houſe of "commons it was too well known, that the major part of "them were detained or deterred from ſitting: ſo as if he "had no other, this would have been a ſufficient reaſon "for him to proteſt againſt the lawfulneſs of their pretended "court.

"That the arms he took up, were only to defend the "fundamental laws of the kingdom, againſt thoſe who had "ſuppoſed his power had totally changed the ancient go-"vernment [1]."

Remarkable depoſitions againſt the king. Ruſhworth, VII. p. 1406.

V. Of all the witneſſes, as I ſaid, examined againſt the king [2], there was not one which proved the king to be author of the war. But among the depoſitions, there were two which muſt not paſs unobſerved, ſuppoſing they were neither forged nor altered. The firſt ſhows, the king was much leſs incenſed againſt the independents than againſt the preſbyterians, though afterwards he had but too much cauſe to perceive, that the principles of the former, were more deſtructive to him, than thoſe of the latter. The ſecond ſeems to prove, that the king did not act with ſincerity, even in the treaty of Newport.

p. 1414. Richard Price a ſcrivener of London depoſed, that the committee of ſafety being informed, that the king was privately negotiating with the independents, ſent the deponent to Oxford, under colour of carrying propoſals to the king, from the independents: that he was introduced to the king by the earl of Briſtol, and received orders to ſay to the leading independents, from his majeſty, that if they would take his part againſt the parliament, he would grant them whatever freedom they deſired.

The

[1] This, ſays the king, I intended to ſpeak in Weſtminſter-hall, on Monday, Jan. 22, but againſt reaſon was hindered to ſhew my reaſon.

[2] See their names at length in Echard's Hiſt. Tom. II. p. 613, and their depoſitions in Ruſhworth, Tom. VII. p. 1401, &c. and in State-trials, Tom. I.

The second deposition was of Henry Gooche of Grey's-Inn, who said: "That on the 30th of September last, having access to, and discourse with, the king at Newport, he told him, that since his majesty had justified the parliament's taking up arms, by consenting to the preface of the bill, he did not question, but most of the presbyterian-party, both soldiers and others, would stick close to him." To which the king answered, "That he would have all his old friends know, that though for the present he was contented to give the parliament leave to call their own war what they pleased, yet that he neither did then, nor ever should decline the justice of his own cause." Moreover, upon the deponent's saying, "That his business was much retarded through want of commissions." The king made answer, "That being upon a treaty he would not dishonour himself, but if the deponent would go over to the prince his son, (who had full authority from him,) he, or any for him, should receive whatever commissions should be desired." That, besides, he expressed much joy, that his good subjects would engage themselves for his restoration. 1648-9. p. 1413.

The king refusing to answer before the high-court of justice, his refusal was taken according to the laws of England, for a confession, and sentence of death was passed upon him the 27th of January [1]. A little before his sentence was pronounced, he earnestly desired to be heard before the two houses, saying, he had something of great importance to offer them. But his desire was rejected. It is generally believed, he intended to propose to the parliament, that he would abdicate the crown in favour of his eldest son. Sentence is pronounced upon him, and he is refused to be heard. Rushworth, VII. p. 1418, Welwood. Ludlow.

The sentence was executed the 30th of January 1648-9, on a scaffold erected in the street at the windows of the Banqueting-house at Whitehall [2]. The king suffered death with He is executed. Rushworth, VII. p. 1428.

[1] The names of those who were present, and gave their assent to the sentence, were as follows: Bradshaw, president; Lisle, Say, Cromwell, Ireton, Hardresse Waller, Boutcher, *Hewetingham*, *Pennington*, Martin, Purefoy, Barkstead, *Thomlinson*, Blackistone, Millington, Constable, Ludlow, Hutchingson, Livesey, Fichbourn, Roe, Lilbourn, Smith, Edwards, Clement, Wogan, Norton, *Harvey*, Venn, Scot, *Andrews*, Fleetwood, Mayne, J. Temple, Scroope, Dean, Okey, Hewson, Goffe, *Holland*, Carew, Jones, Corbet, *Allen*, Pelham, Blagrave, Walton, Harrison, Whalley, Pride, Ewers, Grey of Groby, Danvers, Maleverer, Moore, Alured, Cawley, Stapley, Downs, Horton, *Hammond*, *Love*, Potter, Garland, Dixwell, P. Temple, Waite.—All these likewise, (except those whose names are printed in *Italick* characters) with Ingoldsby and Chaloner, signed the warrant for the king's execution. Rushworth, Tom. VII. p. 1416, 1426. See an account of them in Heath, p. 196, &c.

[2] Two men in disguises and vizors, stood upon the scaffold for executioners, Whitelocke,

1648-9. with great constancy, and without showing the least signs of weakness or amazement. His body, after having been for some days exposed to view, in one of the rooms of Whitehall, was carried to Windsor, and buried without any pomp in St. George's chapel [1].

Character of Charles I.

It is no easy thing to give a just character of Charles I. amidst the excessive commendations bestowed on him by some, and the calumnies wherewith others have endeavoured to blacken his reputation. If the parties born in his reign had died with him, we might find in the histories of that time, composed after the troubles were over, an impartiality which might help to form a true judgment of this prince's character. But the same parties continuing in the following reigns, with a mutual animosity, it may be said, there is not an impartial English historian upon this subject. Some had no other view than to vindicate the king, and others, whose aim was to justify the parliament, could not do it without loading the king, and rendering him odious. We must therefore proceed with the utmost caution when we are in search of this prince's character, for fear of being misled, and drawn into error by the different representations given their readers by the historians. Notwithstanding these difficulties, I shall briefly speak my thoughts, free from all party-passion and prejudice.

I do not find, the commendations bestowed on Charles I. with regard to sobriety, temperance, and chastity, were ever contested. All agree likewise, that he was a good husband, a good father, and a good master. But some accuse him, and perhaps not unjustly, of suffering his queen to have too great an influence over him, and too large a share

Whitelock, p. 375. William Hulet was tried and condemned on Oct. [illegible] 1660, for being one of them. [illegible] trials, Tom. II. p. 381, &c. In the same trial it is said, Th[illegible] the hangman cut off the king's head, p. 385. Others say, it was colonel Joyce. *Life of Cromwell.*

[1] After the king's head was struck off at one blow, his body was put in a coffin, covered with black velvet, and removed to his lodging-room in Whitehall. Being imbalmed, it was delivered the 7th of February to four of his servants, Herbert, Mildmay, Preston, and Joyner, who had been appointed to wait upon him during his imprisonment, and by them, that same day, removed to Windsor, where came, by permission, the duke of Richmond, [illegible] the earls of [illegible] with Dr. [illegible] Colonel [illegible] not permit- [illegible] the burial-office, according to the [illegible], the body was silently interred on February 9, in a vault [illegible] the middle of the choir, over-against the eleventh stall on the [illegible] side, near Henry VIII. and Jane Seymour, [illegible] in capital [illegible], on a fillet of lead, KING CHARLES, 1648. The whole [illegible] charges came but to 2091. 5 [illegible] *Herbert's Mem.*

share in state-affairs [1]. The kingdom being protestant, and the queen a very zealous catholick, her power, which she greatly abused in causing the most important offices to be conferred on papists, must have been looked upon with a jealous eye. This was the chief ground of the opinion spread about the kingdom, that the court intended to restore the catholick religion in England. 1648-9.

'*He was so great a lover of justice, that no temptation could dispose him to a wrongful action, except it was so disguised to him, that he believed it to be just.*' These are the lord Clarendon's own words, which may be very true, if applied to the concerns of particular persons. But besides the justice which a king ought to administer impartially to private persons, there is another kind of justice due from him, to all his people in general. With respect to this last, it may justly be doubted, that the lord Clarendon's encomium is inconsistent with the project of altering the constitution, and assuming a power, which certainly was illegal. Nay, I do not believe, that this was one of the things disguised to him, and I should rather think, it was by him, that his ministers and courtiers framed their conduct, and adapted their notions to his, in order to make their court and advance their fortune. T. III. p. 197.

Never was king perhaps so punctual and regular in his devotions both publick and private. This was of some use to him, to repel the charge of his not being well-affected to the protestant religion, and he knew how to improve it on occasion.

He abhorred all debauchery, and could not endure an obscene or prophane word. His court was very different from his father's, where oaths, prophane jests, and obscene discourse were but too much in vogue. It is hard to conceive, how the duke of Buckingham, who was used to king James's ways, could accommodate himself to the gravity and severity of Charles I. or how king Charles could adapt himself to the duke of Buckingham's manners.

James I. was lavish, and his son Charles inclined towards avarice. But this failing may be excused by the consideration, that he never abounded with money, from the beginning to the end of his reign.

His enemies would represent him as a cruel and bloody prince; but as they have not been able to reproach him with any particular action denoting such a disposition, it is easy

[1] Sir Philip Warwick says, that king Charles "was always more chary "of the queen's person, than of his "business," p. 204.

1648-9. eaſy to perceive, this charge is founded on the ſuppoſition of his having been author of a war wherein ſo much blood was ſpilt.

Sincerity, as appears in his hiſtory, was not his favorite virtue. He made frequent uſe of mental reſervations, concealed in ambiguous terms and general expreſſions, of which he reſerved the explication at a proper time and place. For this reaſon, the parliament could never confide in his promiſes, wherein there was always either ſome ambiguous term, or ſome reſtriction that rendered them uſeleſs. This may be ſaid to be one of the principal cauſes of his ruin, becauſe giving thereby occaſion of diſtruſt, it was not poſſible to find any expedient for a peace with the parliament. He was thought to act with ſo little ſincerity in his engagements, that it was believed there was no dependence on his word. The parliament could not even reſolve to debate on the king's propoſitions, ſo convinced were they of his ability to hide his real intentions under ambiguous expreſſions. But they ſent their own propoſitions to the king, with the liberty only of ſaying *content*, or *not content*, ſo apprehenſive were they of his explications. But as I may be accuſed of loading the king too much upon the point of ſincerity, I think it incumbent on me, to juſtify what I have ſaid, by an unexceptionable evidence. I mean the earl of Clarendon.

Clarendon, III. p. 335. ‘ *A law enacted by violence and force*, (ſays that illuſtrious ‘ hiſtorian) *is not rightfully enacted, was one of thoſe poſitions* ‘ *of Ariſtotle, which hath never been ſince contradicted, and was* ‘ *an advantage, that being well managed, and ſtrictly inſiſted* ‘ *upon, would, in ſpite of all their machinations, have brought* ‘ *his majeſty's enemies to a temper of being treated with. But* ‘ *I have ſome cauſe to believe, that even this argument which* ‘ *was unanſwerable for the refuſing the bill* [for taking away ‘ the biſhops votes] *was applied for the confirming it; and an* ‘ *opinion, that the violence and force uſed in procuring it, ren-* ‘ *dered it abſolutely invalid and void, made the confirmation of* ‘ *it leſs conſidered, as not being of ſtrength to make that act* ‘ *good, which was in itſelf null. And I doubt this logick had* ‘ *an influence upon other acts of more moment than theſe.*

Let the reader judge after this, if we may boaſt of king Charles's ſincerity, ſince even in paſſing acts of parliament, which is the moſt authentick and ſolemn promiſe a king of England can make, he gave his aſſent, merely in his opinion, that they were void in themſelves, and conſequently he was not bound by this engagement. I paſs over in ſilence the manifeſt breach of the petition of right, perhaps upon

upon the ſame principle, and of his many aſſurances to his parliament of his intention to maintain their privileges, which he violated within a few days, becauſe theſe things have been ſufficiently ſpoken of in the hiſtory of his reign. 1648-9.

Some accuſe him of an inclination for the Roman catholick religion; nay, there are who carry this charge ſo far as to ſay, he intended to reſtore it in England. Theſe imputations are groundleſs. But it cannot be denied, that he gave occaſion for them by his conduct, though contrary to his intention. During the firſt fifteen years of his reign, the Roman catholicks were not only ſcreened from the rigour of the law, but even encouraged and countenanced to ſuch a degree, that he made them privy-counſellors, ſecretaries of ſtate, and lords-lieutenants of counties. Two things induced him to this condeſcenſion. The firſt, the queen's importunities, who was extremely zealous for her religion. The ſecond, his project to render himſelf abſolute, for the execution of which, he believed the aſſiſtance of the catholicks, as well Engliſh as foreigners, to be neceſſary. But I will not affirm, that the queen, and ſome of the miniſtry, had not formed with regard to religion, more extenſive projects, which they did not think proper to impart to the king. The aſſiſtance of the catholicks, whom the king had managed for another occaſion, became neceſſary for his own defence, after his breach with the parliament. How unwilling ſoever he ſeemed to receive any aid from the papiſts, it is certain, many were entertained in his ſervice, and that he was privately aſſiſted by the catholicks on ſundry important occaſions.

Though it cannot be proved that he excited the Iriſh rebellion, it may however be affirmed, it was not againſt him that the Iriſh took up arms, ſince they never had leſs cauſe to complain, than in the late reign. Beſides, the papiſts, both Iriſh and Engliſh, always looked upon this prince as their protector, and were ever ready to aſſiſt him. Had he ſucceeded in his deſigns, very likely, the condition of the catholicks in England and Ireland, would have been much more happy, and the penal laws in great meaſure repealed. But it does not follow, that the king himſelf had any inclination to popery, or intended to eſtabliſh the Romiſh religion. In fact, that he was a ſincere member of the church of England, can hardly be doubted, ſince he affirmed it on the ſcaffold, at a time when it could be of no ſervice to him to diſſemble his belief.

Many

1648-9. Many people give him the ſirname of *martyr*, pretending, he ſuffered death in maintenance of the truth of the proteſtant religion againſt the preſbyterians and independents, and call the day of his death, which is ſolemnized yearly on the 30th of January, the day of his martyrdom. But in the firſt place, there was too great a complication of cauſes which brought him to this tragical end, to aſcribe his death ſolely to religion. 2. Though it were true that religion was the ſole cauſe of his death, it would not be univerſally agreed that he died for defending the truth of the proteſtant religion, ſince, among proteſtants, the Engliſh alone, or rather a great part of the Engliſh, hold epiſcopacy to be a doctrine of faith. 3. Though dying for epiſcopacy were really martyrdom, the king in his laſt propoſals at Newport, agreed to reduce epiſcopacy to a very ſmall matter. 4. Had he been condemned by the preſbyterians, he might in ſome manner be ſaid to ſuffer for epiſcopacy. But it is evident the preſbyterians had no ſhare in this ſentence, nor ever thought of bringing him to a trial. The independents were the men that condemned and executed him, and ſurely, it was not on any religious account, but to turn the monarchy into a republick. 5. If the ſcrivener's evidence be true, king Charles cannot be ſaid to ſuffer death for ſupporting religion againſt the independents, ſince, according to the depoſition, he offered to grant them all the freedom they ſhould deſire, if they would but take his part. However this be, the church of England having recovered, in the reign of Charles II. the advantage ſhe had loſt in that of Charles I. appointed the day of his death to be kept every year with faſting and humiliation, which has cauſed ſome to give him the glorious title of martyr.

To conclude, Charles I. was endued with many virtues and noble qualities. There is even room to believe, that his failings flowed intirely from his deſign to enſlave England, and if, on ſome occaſions, he followed not exactly the rules of ſincerity, it was only the more eaſily to execute what he had undertaken. Without this unfortunate project, he might be reckoned one of the moſt accompliſhed princes that has ever been on the Engliſh throne [1]. The duke

[1] D. Welwood mentions theſe particulars, in his character of king Charles, not taken notice of by Rapin. "He was a prince of a comely preſence, of a ſweet, grave, but melancholy aſpect. His face was regular, handſome, and well complexion; his body ſtrong, healthy, "and juſtly made, and though of a "low ſtature, was capable to endure "the greateſt fatigues. He had a "good taſte of learning, and a more "than ordinary ſkill in the liberal "arts, eſpecially painting, ſculpture, "architecture,

Buckingham, the earl of Strafford, archbishop Laud, 1648-9.
[illegible] queen herself used to a very different government [illegible] that of England, were the persons that ruined this unhappy prince, whom they so passionately desired to raise higher than his predecessors. But who can forbear making a very natural reflection on this subject? I mean, upon the punishment of those evil counsellors, and of the king himself. The duke of Buckingham lost his life by the hands of an assassin; Laud, Strafford, and the king himself died on the scaffold, and the queen spent the residue of her days in a melancholy widowhood, being even slighted by her nearest relations. She lived however long enough to see the prince her son's restoration, but found not in him, all the satisfaction she expected, which doubtless was the cause of her return to France, where she died in the year 1669.

"architecture, and medals; he acquired the noblest collection of any prince in his time, and more than all the kings of England before him. He spoke several languages very well, and with a singular good grace; though now and then, when he was warm in discourse, he was inclinable to stammer. He writ a tolerable hand for a king, but his sense was strong, and his stile laconick." Mem. p. 68, &c.

By an indenture in the 2d year of king Charles I, a pound weight of gold, of the old standard, of twenty-three carats, three grains and a half fine, and half a grain allay, was coined into 44 l. 10 s. by tale; namely, into rose-rials at 30 s. a piece; spur-rials at 15 s. a piece, and angels at 10 s. a piece. And a pound weight of crown gold, of twenty-two carats fine, and two carats allay, into 41 l. by tale; namely, into unites at 20 s. Double crowns at 10 s. or British crowns at 5 s. a piece. And a pound of silver of the old standard, of eleven ounces, two-penny weight fine, into sixty-two shillings by tale; namely, into crowns, half-crowns, shillings, half-shillings, two-pences, pence, and half-pence.

The gold coins of this king (as appears by the indenture above) are Rose-rials, Spur-rials, Angels, Unites, Double and British crowns. The Rose-rial has, on one side, the king's figure in wrought armour, crowned, and holding in his right-hand the sceptre, resting upon his shoulder; and in his left-hand the ball, CAROLVS. D. G. MAG. BRITAN. FRAN. ET. HIB. REX. Reverse, under a crown, the arms quartered, Scotland in the first and fourth quarter, between C. R. crowned, HIS. PRÆSVM. VT. PROSIM. struck, probably, when the king was in Scotland, and weighing six-penny weights, eight grains, and a quarter. (Fig. 1.) The Spur-rial, weighing just half the other, exhibits the king's head crowned, looking the contrary way, and extending to the edge, CAR. D. G. MAG. BRIT. FRAN. ET. HIB. REX. Reverse, the arms, as before, VNITA TVEMVR. The Unite has XX. behind the king's head crowned in ruff, CAROLVS. D. G. MAG. BRIT. FRA. ET. HIB. REX. Reverse, arms in a square shield crowned, CULTORES. SVI. DEVS PROTEGIT. Another, with the falling band, has a sun for the mint-mark; and reverse, the arms in an oval shield crowned, C. R. FLORENT. CONCORDIA. REGNA.—— The silver coins of this king are Crowns, Half-crowns, Shillings, Six-pences, Two-pences, Pence, and Half-pence. As also, ten and twenty Shilling pieces,

1648. pieces, peculiar to this king, which have his figure on horse-back. The Crown-piece has the king on horse-back, with his sword in his hand, CAROLVS. D. G. MAG. BRITA. FRAN. ET. HIBER. REX. Reverse, between C. R. the arms in an oval shield crowned, CHRISTO. AVSPICE. REGNO. Another has on one side a plain cross, on the other V. with s above it. The Half-crowns are various; some with the arms in an oval, some in a square shield. They have for mint-marks, a lion passant, and in some gardant, anchor, harp, Fleur-de-lis, &c. The Newark half-crown, in form of a lozenge, has C. R. on each side of a crown, and XXX. below. Reverse, OBS. NEWARK. 1646. (There is also a Newark shilling, exactly in the same form, and with the same inscription; only it has XII. instead of XXX. (Fig. 6.) The Pontefract half-crown is in the same form as that of Newark: On one side C. R. crowned, DUM. SPIRO. SPERO. Reverse, the castle, and a hand out of one of the towers, holding a drawn sword, OBS. P. C. 1648. (The Pontefract shilling wants the sword and hand, and has XII. instead of XXX. but in other respects it is like the half-crown.) (Fig. 5.) There is also a three-shilling piece, coined at the siege of Carlisle, having C. R. and III. below: Reverse, OBS. CARL. 1645. O[illegible] some have the king's he[illegible] with the ruff, and XII. [illegible] head: Reverse, the arms, and [illegible] T[illegible] AUSPICE REGNO, a cro[illegible] mint-mark. (Fig. 2.) Another with [illegible] bane, (Fig. 3.) One ha[illegible] 1637, and ARCHETYPUS. MO[illegible] NETÆ. ARGENTÆ. ANGLIÆ. The Carlisle shilling, which is a[illegible] Octogone, has a crown with C. R. XII. Reverse, OBS. CARL. 164[illegible] The Six-pences are strictly like the shilling, only have VI. instead of XII. The Carlisle sixpence, has C. R. crowned. Reverse, VI. v. The Carlisle groat, is Octogone, and has o[illegible] the reverse IIII. (Fig. 7.) The Three-pence has the king's head, title, a[illegible] arms, as the larger pieces, CHRIST[illegible] AVSPICE. REGNO. One has t[illegible] Ostrich-feathers, (because made o[illegible] Welch silver) with this motto EX VRGAT. DEVS. DISSIPENTVR INIMICI. In the field, RELIG PRO. LEG. ANG. LIBER. PAR 1645. (Fig. 4.) The Two-pence ha[illegible] II. behind the king's head, with titl[illegible] and arms as the three-pence, legen[illegible] IVSTITIA. THRONVM. FIR[illegible] MAT. One has the king in ru[illegible] areheaded, CAR. D. G. MAG. BRIT[illegible] FRAN. ET. HIB. Reverse, two C[illegible] interlinked under a crown, FIDE[illegible] DEFENSOR, (Fig. 8.) The penn[illegible] has I. behind the king's head.

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